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INTERNATIONAL REVIEW

OF THE RED CROSS



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International Committee of the Red Cross
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and Red Crescent Movement



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INTRODUCTION

ON THE FUNDAMENTAL PRINCIPLES OF THE MOVEMENT AND INTERNATIONAL HUMANITARIAN LAW

In its November-December 1989 issue the International Review of the Red Cross inaugurated a series of articles on the Fundamental Principles of the Movement. By inviting eminent theoreticians and active members of the National Societies and the League to give their views, and by publishing planned ICRC studies on the subject, the Review intends to contribute to the broad reflection which the Movement has been carrying out for the past three years and to the collection of treatises and case studies on various means of implementing the Principles.

In follow-up to its articles dealing with the practical application of the principles of humanity, impartiality and neutrality,¹ the Review has invited Dr. János Hantos, member of the Standing Commission of the Red Cross and Red Crescent and former Chairman of the National Board of the Hungarian Red Cross, to comment on the Fundamental Principles. Dr. Hantos holds that a unified interpretation and application of the Fundamental Principles would better sustain the Movement's credibility and effectiveness, then analyses the relationship between the principle of humanity and the Movement's purpose and offers some concluding remarks on the principle of independence (see p. 86).

In the second article, entitled: "Volunteer Service; a pastime or a profession", a young staff member responsible for relief work and dissemination at the Colombian Red Cross, Walter Ricardo Cotte W., gives his views on volunteer work today. The author first discusses the

¹ Blondel, Jean-Luc, "The meaning of the word 'humanitarian' in relation to the Fundamental Principles of the Red Cross and Red Crescent", *IRRC*, No. 273, November-December 1989, pp. 507-515.

Kalshoven, Frits, "Impartiality and neutrality in humanitarian law and practice", *ibid.*, pp. 516-535.

Harroff-Tavel, Marion, "Neutrality and impartiality—The importance of these principles for the International Red Cross and Red Crescent Movement and the difficulties involved in applying them", *ibid.*, pp. 536-552.

traditional concepts of professional and volunteer work, then goes on to show how the latter has evolved from a pastime into an ongoing commitment combining professional skills and human qualities, for the sole purpose of serving humanity (see p. 95).

* * *

In a recent publication on the development of humanitarian ideas in various schools of thought and cultural traditions,² Jean Pictet states that the study of cultures clearly shows that "humanitarian principles are common to all human communities wherever they may be".³

He underscores the importance therefore of being familiar with the evolution of humanitarian thought through the ages, adding that those who work to disseminate knowledge of humanitarian law "will find in local traditions and in the symbols peculiar to each race the form of expression and the imagery which will make it more readily understood and accepted".⁴

It was in this spirit that the Review inaugurated in July-August 1989 a series of articles retracing the origins of international humanitarian law. The series first dealt with the contribution of army medical officers to the emergence of humanitarian law⁵ and the written and customary provisions relating to the conduct of hostilities and treatment of victims of armed conflicts in ancient India.⁶ It continues in this issue with two articles on Islam and international law.

The first of these articles, entitled "International humanitarian law lies between the Islamic concept and positive international law", is a general study by professor Said-El-Dakkak on the Islamic concept of humanitarian law. It highlights the similarities and differences between Islamic law and positive law, while focusing on methods and means of combat (particularly perfidy and ruses) and on the rules relating to the protection of an enemy hors de combat and of civilians and objects

² Pictet, Jean, "Humanitarian ideas shared by different schools of thought and cultural traditions", in *International dimensions of humanitarian law*, Henry Dunant Institute, Geneva, Unesco, Paris, Martinus Nijhoff, Dordrecht, 1988.

³ *Ibid.*, p. 3.

⁴ *Ibid.*, p. 4.

⁵ Guillermand, Jean, "The contribution of army medical officers to the emergence of humanitarian law", *IRRC*, No. 271, July-August 1989, pp. 306-332.

⁶ Penna, L.R., "Written and customary provisions relating to the conduct of hostilities and treatment of victims of armed conflicts in ancient India", *ibid.*, pp. 333-348.

of a civilian character. The author concludes that Islamic law is a crucial factor in ensuring the universality of humanitarian law (see p. 101).

The second article, by Ameer Zemmali, is entitled "Imam Al-Awzai and his humanitarian ideas (707-774)". It completes the first article in that it analyses the thought of a little-known eighth-century doctor of laws, pointing out his original and specific contribution to the protection of prisoners of war, civilians and civilian property (see p. 115).

These highly personal thoughts, sometimes accompanied by recommendations, will undoubtedly elicit comments which the Review would be pleased to receive and add to the series by publishing them in its future issues.

The Review

THE FUNDAMENTAL PRINCIPLES OF THE RED CROSS AND RED CRESCENT

The Fundamental Principles are vital to the unity of the International Red Cross and Red Crescent Movement

by Dr. János Hantos

The historical importance of the principles and ideals that influence human activities can be measured by their expansion, their impact and their duration.

It is humanity's instinct for self-preservation that has made the International Red Cross and Red Crescent Movement what it is—a vital force that has for decades played a decisive part in enriching human values; after 125 years of life it has lost none of its attraction, its influence is widespread and its membership steadily growing. Unquestionably its influence extends throughout the world, even though its development is beset with difficulties.

The Movement has, indeed, always overcome its difficulties, and far from shirking challenges to it has always tackled them constructively.

It has shown this constructive approach in the long process that ultimately led to the formulation of the Fundamental Principles, and in its progressive realization that having become a universal movement, it had necessarily to adopt a doctrine to which everyone could subscribe.

The theoretical basis of the Movement

The Fundamental Principles of the Red Cross were not formulated until 1921, 58 years after it was founded. By then it was expanding rapidly. It was no theory that led Henry Dunant to act as he did; his motives were overwhelmingly humanitarian and moral. His selfless desire to alleviate human suffering and bring assistance without discrimination to the wounded on the battlefield came first. The principles were formulated later. Thus his humanitarian action preceded and was the source of inspiration for them.

It was then realized that the selfless desire to bring assistance and give voluntary humanitarian service would have to be organized on a worldwide scale, within a movement whose high ideals and code of action would rally support.

By the end of the First World War, National Red Cross Societies recognized by the International Committee of the Red Cross were at work in all continents—fifteen of them in Europe, seven on the American continent, five in Asia, and one in Africa. It was plain that working as they did in widely differing settings and circumstances, they could not grow into an international movement unless they followed a common code of conduct.

History must give the ICRC credit for realizing this. Unquestionably, the unhappy experience of the “Great War” influenced the formulation of the first Principles in 1921. These were *impartiality*, political, religious and economic *independence*, *universality*, and the *equality* of National Red Cross Societies.

Although the League of Red Cross Societies was already in existence in 1921, its Board of Governors did not examine the Principles of the Red Cross until after the Second World War—at its XIXth session (Oxford, 1946) and XXth Session (Stockholm, 1948). The four Fundamental Principles formulated in 1921 were confirmed, and thirteen supplementary Principles were added, together with six rules for their application.¹ The Eighteenth International Conference of the Red Cross (Toronto, 1952) reaffirmed the resolutions adopted by the League’s Board of Governors.²

The decision-making bodies of the International Red Cross were certainly in no hurry to define and apply the Principles of the Red Cross! Later on, however, the situation improved. First of all, careful examination showed that the resolutions of 1946, 1948 and 1952 were not altogether in accordance with the Fundamental Principles. Jean Pictet’s “Red Cross Principles”,³ published in 1955, was a landmark in the history of the Fundamental Principles. It considered with scientific precision the nature of the Red Cross (then a 92-year-old organization with many remarkable achievements to its credit) and set

¹ Board of Governors, XIXth Session, Oxford, 1946, Resolution 12, and Board of Governors, XXth Session, Stockholm, 1948, Resolution 7, *International Red Cross Handbook* (hereinafter *Handbook*), 12th edition, 1983, pp. 549-552.

² *Ibid.*, p. 552.

³ Jean Pictet, *Red Cross Principles*, International Committee of the Red Cross, Geneva, 1955.

about deducing a doctrine from it. In so doing Pictet rendered the Red Cross an inestimable service.

The seven Fundamental Principles proclaimed by the Twentieth International Conference of the Red Cross (Vienna, 1965) are based on Pictet's study. They are *a concise statement of the doctrine of the International Red Cross and Red Crescent Movement*, and the main source of its unity.

The influence of the Fundamental Principles

The Twentieth International Conference proclaimed the Fundamental Principles, and decided that these would be read out with due solemnity at the opening of each International Conference of the Red Cross.⁴ One of the Movement's main tasks is now to disseminate knowledge of the Fundamental Principles. This has done much to unite it still further and give it a clear profile. Even so, this remarkable progress cannot conceal present weaknesses.

We now have to find out *how, and how far, the Fundamental Principles are influencing the development of the Movement*. The ceremony of reading them out at the Movement's meetings, the many references to them and the declarations on the unity of the Movement are certainly important, but does all this mean that each component of the Movement purely and simply observes and strictly applies the Fundamental Principles in its work? Experience shows that this is a reasonable question, and this is why I said at the meeting of the Council of Delegates on 23 October 1986 that it was necessary to scrutinize the application of the Principles and that the ICRC should take the lead in doing so.

The ICRC reacted very constructively by forming a Working Group on Respect for and Dissemination of the Fundamental Principles. This Group made an intermediary report to the session of the Council of Delegates of 27 October 1989,⁵ which adopted a highly important resolution reading:

⁴ Twentieth International Conference of the Red Cross, Vienna, 1965, Resolutions VIII, IX, *Handbook*, p. 552.

⁵ *Respect for and dissemination of the Fundamental Principles—Intermediary Report of the ICRC on the on-going Study*, document presented by the International Committee of the Red Cross (CD/8/1), Council of Delegates, Geneva, 26-27 October 1989.

"The Council of Delegates, ...

1. reaffirms the importance of ensuring respect for the Fundamental Principles by the Movement's components and the need to disseminate the Principles also among the general public,

2. requests the ICRC to continue the study in consultation with all the National Societies, the League and the Henry Dunant Institute,

3. invites the components of the Movement to collect any material they consider useful for promoting understanding and dissemination of the Principles and to forward it to the ICRC, ...".

The aim of the Movement

The formulation of the seven Fundamental Principles in 1965 is one of the Movement's major theoretical accomplishments. They are undoubtedly clearer and more rigorous than the principles previously formulated. They improve and refine the Movement's doctrine—particularly, I would say, the principle of humanity.

It would be interesting to try and find out why the concept of humanity was not introduced as a principle until the Movement had been in existence for a century! It is however more important to emphasize that this principle expresses the very essence of the Movement and has given it a clear objective and a theoretical basis that accentuate the Movement's specific characteristics. In short, this concept has opened up new horizons to the Movement.

It is a recognized historical fact that the Red Cross was founded with the noble intention of alleviating the suffering of war wounded and protecting war victims. Interpreting this too loosely, to mean that the Red Cross should support efforts to settle armed conflicts and endorse attempts to arrive at peaceful settlements of international conflicts, would cast doubt upon the very reasons for its existence and could lead to its downfall.

In fact the formation of the League of Red Cross Societies has meant that the initial aim of the Red Cross has been extended to humanitarian activities in peacetime. This was clearly shown in 1961 when the League adopted the motto *Per humanitatem ad pacem*, which appears after the motto *Inter arma caritas* in the Preamble of the new Statutes of the Movement, which were adopted in 1986.

The inclusion of the principle of humanity may therefore be regarded as a change of concept, as it has broadened the scope of the national and international activities of the Red Cross and Red Crescent

Movement and sanctioned a liberal interpretation of its humanitarian mission for the benefit of humanity. The Fundamental Principles have crystallized the Movement's doctrine and set out the rules guiding its actions. These embody the concept of active charity and give the Movement new strength. As Jean Pictet writes in his commentary on the principle of humanity: "*the principle of humanity, from which all the other principles flow, obviously has to stand in first place. As the basis of the institution, it provides at the same time its ideal, its motivation and its objective. It is indeed the prime mover for the whole movement...*"⁶

The Fundamental Principles as the Movement's greatest unifying force

The profound significance and efficacy of the principle of humanity and of the other Fundamental Principles give them their value and authority. How, then, can the Principles influence the actions of the Movement's components? I think we should and must continuously evaluate the Movement's activities and carefully monitor the application of the Fundamental Principles. Experience clearly shows that there is room for improvement. Interestingly, the Tansley Report on the reappraisal of the role of the Red Cross did not carry its examination of the Fundamental Principles far enough.⁷ The most severe of its critical observations is that "*the Red Cross Movement today suffers from a lack of cohesion. It particularly lacks a sense of common purpose, a basic role which all of its organs share.*"⁸

The Hungarian Red Cross, commenting on the Tansley Report in 1976, disagreed with that opinion and said that the International Red Cross and Red Crescent Movement does have a cohesive force and a common purpose. I believe that the Fundamental Principles are the Movement's greatest cohesive force, and that the quintessence of the Movement lies in the principle of humanity. A paper prepared by a particularly active National Society says that the Movement's aim is the same as its mission, stated in the first paragraph of the Preamble to its Statutes. Admittedly the wording of that paragraph is not the same

⁶ Jean Pictet, *The Fundamental Principles of the Red Cross. Commentary*, Henry Dunant Institute, Geneva, 1979, pp. 21-22.

⁷ Donald Tansley, *Final Report: An Agenda for Red Cross*. Reappraisal of the Role of the Red Cross, Geneva, 1975.

⁸ *Ibid*, p. 47.

as that of the principle of humanity, but I cannot see that the two texts contradict each other on any matter of principle. All the same, I think that the Movement's aims and activities should be fully considered and the conclusions submitted to the Council of Delegates at one of its forthcoming sessions. My starting point is that *the aim of the Movement is set out in the principle of humanity*, as follows: "...*Its purpose is to protect life and health and to ensure respect for the human being.*" In theory, if all the components of the Movement interpreted this aim in the same way they would all work on the same lines. If, however, they did not all interpret that aim in the same way, and if it were considered advisable to specify separate aims for the Movement, the ICRC, the League and the National Societies, there would inevitably be so many different interpretations that the Movement's *fundamental unity* would be at risk. I say *fundamental unity* because the Movement's components all have statutes of their own and, of course, different programmes, commitments, methods of organization and procedures. But for that very reason they should be firmly linked by a common aim which they would work to achieve, although of course the independence and specific nature of each of them in discharging their own mandate would be duly respected.

Practical conclusions

It has been said that if the Fundamental Principles are properly worded they should be observed in the spirit rather than in the letter. I know that words cannot always express ideas clearly enough. In this respect I completely agree with Jean Pictet's dictum that "*To achieve their purpose ... principles must be presented clearly, so that they are understood by everyone*".⁹ The common aim stated in the principle of humanity is subject to this rule, which if not respected will make fundamental unity very hard to achieve. If that were to happen the text would be interpreted in so many different ways that it might be hard to apply the Principles, and the unity of the Movement would be jeopardized.

I believe that the unity of the Movement would be consolidated if a *common programme* could be worked out to reach the common objective. (I can already hear your protests!). In October 1989 the ICRC and the League ratified an agreement stating exactly how they

⁹ Jean Pictet, *op. cit.*, p. 12.

were to co-operate in humanitarian activities, and fixing guidelines in several fields of activity. This is splendid, but I still feel that it does not go far enough.

Why? Because if we accept that the purpose of the Movement is correctly stated in the principle of humanity, we should try to agree on a global platform defining the responsibilities that the *whole of the Movement* intends to accept to protect health and ensure respect for the human being. We would then give a clear, concise and encouraging answer to the questions put by persons interested in the Red Cross, who want to support it and intend to take part in its work.

The Movement's aims and programme in a changing world

A document stating the Movement's common aim and common programme would demonstrate the Movement's real unity and make it easier for its components to co-ordinate their activities in all fundamental respects. It would encourage activities in an agreed common direction without prejudice to the independence of each component of the Movement. The general public does not usually know the difference between the International Committee of the Red Cross and the League, and often talks about the International Red Cross without saying which of its components it has in mind. This should prompt us to work all the harder to promote the Movement's unity more effectively. In preventing and alleviating human suffering, the certainty that victims will be given valid assistance is always more valuable than a formal definition of respective competences. This is what the Fundamental Principles of the Red Cross lead us to believe; everyone in need, and public opinion, expects no less of us.

We cannot, of course, expect the common programme to lay down exactly what work each component is to do, but only to provide general guidelines for them to follow, which will enable them to orient their programmes to further the common aim in so far as their ability and means allow.

One important question remains, namely the extent to which each of the Movement's components is to participate in preventing and alleviating suffering. It seems natural for these activities to remain an ICRC and League priority, but National Societies that form the framework of the Movement also have a decisive part to play. As their methods and the extent of their participation differ widely, it seems to me that a joint statement of policy in this connection, allowing for the

specific nature and functions of the members of the Movement, would help to resolve the question. It would clear away doubts and reservations and help the accomplishment of our humanitarian mission.

Is the Movement independent?

This article was not intended to deal separately with each of the Fundamental Principles, but to concentrate on the most general problems. I cannot however end without touching on one aspect of the principle of independence. In a document submitted to the recent session of the Council of Delegates I asked: "Is the Movement independent?",¹⁰ a problem that has been on my mind since the Statutes of the International Red Cross were revised. I feel justified in asking this question by a resolution of the Twenty-fifth International Conference of the Red Cross. There is, to my mind, a contradiction between the composition, character and title of the International Conference (which are confirmed in the new Statutes) and the principle of independence. I am taking up this position because I regard the principle of independence, as set out in the declaration of the Fundamental Principles, as highly important, whereas the composition of the International Conference of the Red Cross and Red Crescent makes me doubt that this principle really exists. The International Conference is in fact stated to be the supreme deliberative body for the Movement, at which "*representatives of the components of the Movement meet with representatives of the States Parties to the Geneva Conventions ... Together they examine and decide upon humanitarian matters of common interest and any other related matter*" (Article 8 of the Statutes).

I do of course believe it is necessary for the representatives of the components of the Movement and of the States party to the Geneva Conventions to examine humanitarian questions of common interest regularly and jointly, and to take decisions on them. But the title of the Conference should be the *International Conference of the International Red Cross and Red Crescent Movement and of the States Party to the Geneva Conventions* (instead of International Conference of the Red Cross and Red Crescent). The difference is, I think, obvious. The governments concerned would probably not object if the Statutes of the Movement were modified to a reasonable extent so as to clarify the present situation, which casts doubt again on the principle of inde-

¹⁰ *Respect for and Dissemination of the Fundamental Principles*, op. cit., p. 32.

pendence. In the Movement's supreme deliberative body, the representatives of its components should take decisions by themselves, independently of governments.

The circumstances in which the new Statutes were adopted in 1986 were not propitious to tabling any amendment of this kind, but if a consensus could be reached there would still be time to table one at the next International Conference.

To conclude, I am delighted to see that the *International Review of the Red Cross* is opening its columns to constructive debate on the essential problems of the doctrine of our Movement. I am sure that applying our common aim will encourage us to explore, later on, another fundamental question, namely, what must we do to ensure respect for the Fundamental Principles? I think this question is unavoidable if we really do want to strengthen the unity of the Movement.

Dr. János Hantos

Dr. János Hantos was born at Békéscsaba, Hungary, in 1927. In 1954 he was appointed to the University of Budapest, and taught philosophy for ten years. He is also a Doctor of Political Science. He was elected to the City Council of Budapest in 1962, and became Deputy Mayor at the end of 1964. He was elected Secretary-General of the National Board of the Hungarian Red Cross by the IVth Congress of the Hungarian Red Cross in 1973, and Chairman of the National Executive Committee by the Vth Congress in 1977. After 17 years' uninterrupted service Dr. Hantos retired on 1 January 1990, but has continued to serve as a Red Cross volunteer. At the Twenty-fourth International Conference of the Red Cross (Manila, 1981), he became Vice-Chairman of the Standing Commission of the International Red Cross, and was re-elected a member of that Commission by the Twenty-fifth Conference in 1986.

Voluntary service: a pastime or a profession

by **Walter Ricardo Cotte W.**

Today, as in a dream, I look back on my life as a volunteer, on what I have learned and what it has taught me about the world. At once I am reminded of what the Red Cross meant to me as a child and young person, and what it now means to me as an adult, after twenty years' personal and professional experience. My experience as a volunteer has led me to a post in which I am both a professional and an individual working as a volunteer (National First-aid Director of the Colombian Red Cross Society). The following thoughts arise from that experience.

I feel that volunteers should be looked at in two ways; as developing inside the Red Cross, and also outside it as members of the community. Combine these two points of view and you get some idea of what can be done with the help of volunteers, and how and when, and what the National Society has to do to become more efficient every day.

A pastime

Some people say that being a volunteer is a praiseworthy way of filling in free time, or a hobby, and in some very sad cases a way of rehabilitating misfits in society.

Modern education has reduced the time spent in school and gives the family greater responsibility for its children's education. It allows young people and children plenty of "free" time, with the result that many of them look for other things to do—sports, cultural pursuits, or group activities—some of which may be quite dangerous and harmful. Voluntary service is a possible alternative for these young people, and for many adults too, pensioners, for example. That is why we have to give this great mass of human potential the opportunity of spending its free time in the ranks of the Red Cross. The immediate effect is to keep the young people, children and adults concerned away from

undesirable alternatives—at the cost of much preparatory internal organization by the Red Cross. However, as a result the Movement gets some sound volunteers who go on to train as technicians or professionals to bring assistance to victims of war or natural disasters.

Occupation and personal development

For most people their “occupation” is their means of livelihood; it brings economic benefits to the individual and benefits of another kind to the community. It requires personal development that begins in childhood under the joint influence of the family and school. Primary social relations continue in youth and puberty, when the child’s knowledge of life expands and a more complicated period of formal education begins; combined with physiological changes and a new relationship with society these later shape the adult and influence the part he will play in the community. Education for a profession—occupational training—comprises the following stages: primary education, secondary education, higher education, in-service and further education.

However, to look at society as a whole, a baker too has an occupation but may not have gone through these preliminary stages of education; and a lawyer, for example, could conceivably complete all the educational stages but have no work and perform no function in the community.

The ideal occupation is one in which the individual goes through the stages of education and development in such a way that he becomes a producer in this community, striking a proper balance between his own benefit and that of other people. This is what we might call professionalism, part of which is a permanent desire for progress.

When we select volunteers for the Red Cross we must look for signs of a professionalism in their lives that will colour their work as volunteers, and seek a genuine commitment to helping the community, whose auxiliaries we are to develop mechanisms to tackle its own problems.

The volunteer’s career

So far we have talked about joining the Red Cross as a way of filling in free time and as a profession, and stressed that a professional attitude is necessary to a volunteer at all times. Let us now see how professionalism works in the Movement.

Perhaps the key word is *education*. To succeed in educating a volunteer we have to bear in mind how he or she normally behaves at various ages. What do we mean by "life in the Red Cross?" It is only another way of saying that there are many paths and that the Red Cross is only one of them. We must never expect the people who make up the Movement to spend all their time serving other people; they have also to progress in the various aspects of their own lives. There are at least three phases to be considered:

1. "Red Cross children", to whom the Movement means freedom, knowledge and a way of spending their free time. The Red Cross gives them guidance and training that supplement their work at school and their family life. For this purpose it runs programmes of recreation and contact with other children, projects such as the *Educational Brigades* and *The Red Cross at School*, and trains child volunteers to take part in first-aid campaigns. We could call this part of the educational process "primary education".
2. "Red Cross youth", who are looking more consciously for new alternatives: above all they seek independence and show a natural desire for contact with the others through community service. They are given education and training and, more important, are introduced to the social problems of their community in a practical humanitarian way. In-school programmes for young people continue at this stage and efforts are made to recruit them as volunteers for Red Cross youth and for disaster preparedness programmes, as promoters of health and, especially, of peace and brotherhood. We shall call this part "secondary education".
3. "Red Cross adults", for whom the Movement is a change from their daily work and responsibilities as husbands and wives and parents, one that enables them to take part in group activities to serve the community and to earn recognition by bringing help to others. They are used intelligently and trained for leadership and to have a professional attitude within and outside the Red Cross. This is the final stage, perhaps the longest as far as productivity is concerned. It covers various large groups of people in Red Cross branches: first aiders, blood donors, volunteer ladies, pensioners and leaders. The leaders must be trained to guide the Movement's activities technically and professionally. This stage of higher education should include in-service and further training, which motivates volunteers and adds to their worth as individuals. Each phase, then, has its own objectives, and each group of people is tackled differently but always in accordance with the

balanced view that “if you don’t help yourself you can’t help anybody else”.

Looking at the Red Cross as a career, it is evident that we shall not inculcate a professional attitude in volunteers unless we plan their long-term educational development. Our aim should be to bring in lots of children who will spend their free time in the Red Cross and follow primary Red Cross education. As young people they will follow Red Cross secondary education alongside their studies and enter into some basic commitments towards society. As adults, and after a process of natural selection, they will become leaders and will apply their higher and further Red Cross education to the dissemination, assistance and health programmes that the Movement is running all over the world.

Just as everybody must go to school, so anyone who wants to become a leader in the Red Cross or who enters the Movement as an adult must complete its primary and secondary education; that is, know who makes up the Movement and the fundamental principles on which its activities are based. This will enable him or her to assess the future, the present and the past and to seek the comprehensive development essential to meet the community’s needs; for knowledge is essential to everyone, at various levels.

The dividing line

The Red Cross is essentially humanitarian, impartial and neutral. Its philosophy is one of non-discrimination. Nevertheless there is a real feeling that there is a dividing line between givers and receivers. Our volunteers often behave in a patronizing way, which is bad manners. Worse still, this attitude causes great difficulties in selecting and training volunteers, who enter the Red Cross like strangers in a strange land. Indeed, some of them are in greater need than the community they want to serve.

The dividing line is perhaps necessary and we must therefore always ask ourselves:

Who are these people that volunteer? What training do they have, whom should they help, how old are they, and where are they to do work suitable to their age? If we don’t accept them, will they fall into evil ways? If we do them a good turn now, will it work out badly later on?

Lastly, we must know who is ready to serve and who is not, if we want to help communities to recover from natural or man-made disasters and save the victims from further suffering.

The Red Cross in theory and practice

Is the Red Cross a philosophy or a programme of action? Undoubtedly, it is the practical spirit that most clearly shows that professionalism in community service means efficiency and credibility. On the other hand, a sound educational programme and constant efforts to disseminate the Red Cross philosophy provide for the future, make our volunteers conscientious and humanize everyone who works on Red Cross programmes or benefits from them.

Here again, there has to be a balance for the Movement to survive and achieve its aims all over the world.

For this, our leaders need to show a little eloquence and conviction, and some flair for administration and organization.

Taking advantage of “Red Cross experience”

To promote progress and development we must take advantage of the experience of children, young people and adults, volunteers and beneficiaries alike. The Red Cross is rich in experience in every small town or village, in every country and in every volunteer. The important thing is to organize that experience and turn it into data that can be analysed; to keep abreast of the times, recognizing that the Movement is not all-powerful and that there are other worthy activities that chime in with ours. Our volunteers come from various sections of society. Some are well educated, others not. We must always try to recruit volunteers from all walks of life. Here too we must strike a balance.

Taking advantage of professional experience

It is sometimes thought that voluntary service and professionalism are totally different things and that voluntary work cannot be professional. But, as already pointed out, volunteers follow two parallel paths—their voluntary service and their educational training as individuals. This nearly always leads them to a profession of which the Movement can and must take advantage. It makes the volunteers potent agents of change, authors of programmes and projects, and potential full-time staff who keep up to date on developments in various branches of their work and examine community problems. These they can help to solve by applying their knowledge and professionalism, combined with their experience as volunteers, in discussion groups, seminars or workshops in which, perhaps, other professionals will take part.

Relativity

Everything is relative, even the definition of voluntary service. There is a distinct trend towards charity, practical service, altruism and generosity, but the kind of voluntary service given will depend on the volunteer and the organization of the local committee. The level of development of the beneficiary community is also an important factor in determining the type of service to be provided.

The important thing is that the assistance given should always help the victims, who should be encouraged to use initial Red Cross aid as a means of achieving self-sufficiency.

What do we need today?

We can end by saying that today we need to strike a balance between voluntary service and professionalism, to ensure that volunteers demonstrate a professional attitude, and to make good use of their experience in and outside the Red Cross.

We need to take advantage of technology and scientific development without forgetting the human factor.

We need to combine philosophy with action, remembering that the Red Cross is an activity, not a monument.

Above all, we—meaning volunteers of all ages and the community itself—must always be open to change so that in the end voluntary work earns the honourable label of “professional”.

Walter Ricardo Cotte W.

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THE ORIGINS OF INTERNATIONAL HUMANITARIAN LAW

International humanitarian law lies between the Islamic concept and positive international law

by Professor Said El-Dakkak

Introduction

The starting point of the present study is the clash between the warrior instinct inherent in human nature and Islamic law, the realistic character of which is unanimously acknowledged.

Islam, in fact, cannot tolerate excessive displays of this instinct, which, as Professor Muhammad Taha Badawi points out, is the strongest of all the impulses to which man is inclined. Inseparably linked to all the factors inciting man to make war, and itself at times unleashing war, the warrior instinct, in any case, arouses violence and becomes a reflex action in anyone subjected to the danger of death.¹

Islamic law has always striven to mitigate the harmful consequences of the warrior instinct and to contain it within the limits of disciplined conduct. The result will be that nobody will kill except in extreme necessity and in accordance with the standards decreed clearly and precisely by Islamic law. When a conflict does break out, Muslim warriors are bound to behave as prescribed by the Koran and the *Sunna*.²

¹ Muhammad Taha Badawi, *Scientific hypotheses on the relations between war and peace*, published by the Arab University of Beirut, 1974, pp. 3 *et seq.* (in Arabic).

² The *Sunna*, or Tradition of the Prophet, is the second source for Islamic law. It is based on the words, actions and reactions of the Prophet and is the equivalent, *mutatis mutandis*, of the Christian gospels. The *Sunna* thus contains rules complementing those in the Koran, the first source of Islamic law. A third source of the law is the *Ijtihad*, which consists in the deduction by reasoning of all new rules essential to the living conditions of societies in perpetual evolution. On this point, see: Hamid Sultan, "The Islamic Concept", in *International dimensions of humanitarian law*, Pedone, UNESCO, Paris/Henry Dunant Institute, Geneva, 1986, pp. 47-60.

A good number of rules, in fact, govern the conduct of Muslim combatants; although not embodied in any written work, these rules can nevertheless be deduced from the basic principles forming the foundations of the entire Islamic legal system. According to Professor Hamid Sultan, these principles, five in number, are:

- justice
- equity
- consultation
- respect for commitments made
- reciprocity.³

Observation of these principles means, consequently, an attitude of submission to Islam, and infringement of them corresponds to transgression against Islam.

I. The Islamic concept of humanitarian law

Analysis of the Islamic concept of humanitarian law reveals that the application of its humanitarian rules is subject to the following conditions:

- the existence of a conflict
- the prohibition of aggression
- respect for the dignity of the human person, especially after death
- the prohibition of certain means and methods of combat.

1. Existence of a conflict

The Islamic concept of humanitarian law differs in two ways from the classic theory of the law of war which long prevailed within positive international law.

First, the Islamic concept does not postulate as a condition the existence of war in the traditional sense of the term, i.e., implying, apart from the actual use of weapons, the obligation of a declaration of war between two or more parties. According to Professor Salah Amer,⁴ the classic theory of the law of war would be able to recognize the existence of a state of war even though none of the parties had had

³ Sultan, Hamid, "The Islamic concept of international humanitarian law", *Egyptian Review of International Law*, Vol. 34, 1978, pp. 6,7 (in Arabic).

⁴ Amer, Salah, *Definition of international humanitarian law*, First Symposium on International Humanitarian Law, Cairo, November 1983; published by the Egyptian International Law Society, p. 160 (in Arabic).

recourse to arms. By contrast, the Islamic conception considers that humanitarian rules apply as soon as weapons have been used and armed forces deployed, without a state of war in its proper legal sense having been declared.⁵

There is another difference between the Islamic concept of humanitarian law and the classic theory of the law of war. The former makes no distinction between the various forms of armed conflict, while, under the latter, application of the rules pertaining to the law of war was subject to the existence of an international conflict, the parties to which were two or more member states of the international community. In the event of conflict within a single state, these rules could not apply unless the nature of the conflict was that of civil war, and on condition that the insurgent party had been recognized as having the status of belligerent.

This conception changed with the adoption of the four Geneva Conventions of 1949, the rules of which became applicable to all armed conflicts, namely, "all cases of declared war or of any other armed conflict which may arise between two or more of the High Contracting Parties, even if the state of war is not recognized by one of them" (Article 2 of the four Geneva Conventions) and "in the case of armed conflict not of an international character occurring in the territory of one of the High Contracting Parties" (Article 3 common to the Geneva Conventions).

The International Committee of the Red Cross adopted the expression "international humanitarian law" to cover the international rules derived from treaties or custom and specifically intended to settle humanitarian problems arising out of conflicts, whether international or not, and which not only protect people and property affected by the conflict, but also restrain the right of the parties to the conflict to use any means or methods of warfare they choose.

It is on this point that international humanitarian law, some thirteen centuries later, aligned itself with the Islamic concept, the rules of which cover all armed conflicts of whatever nature.

The reason that the Islamic concept does not differentiate between international and non-international armed conflicts may well be that, when Islam came into being, the very notion of a state was unknown, or at least was insufficiently defined. Consequently, the Islamic concept of humanitarian law, based as it is on an unlimited belief in divine Authority, can be applied everywhere and in all circumstances;

⁵ Abdul-Hassan Al-Shaybani, *El Seyar Al-Kabir*, Vol. 1, The achievement of Dr. Salah El-Din El Mongued, 1958, p. 110 (*in Arabic*).

the scope of application of its rules extends through time and space to all armed conflicts.

2. Prohibition of recourse to aggression

Among the basic principles of the Islamic concept of international humanitarian law is the prohibition of the recourse to aggression by Muslim warriors, together with the obligation to obey the principles of justice and equity. The Koran says: "Fight in the cause of Allah those who fight you. But do not transgress limits; for Allah loveth not transgressors" (Sura II, verse 190).⁶

If we compare this rule with the current provisions of international humanitarian law, we find that it is reflected in Article 35, paragraph 1, of Protocol I, which stipulates that "in any armed conflict, the right of the Parties to the conflict to choose methods or means of warfare is not unlimited".

2. Respect for the dignity of the human person

Among the fundamental Islamic principles is that of respect for the dignity and integrity of the human person, in particular after death.

The Islamic rules governing war forbid Muslim warriors to torture their enemies or to subject them to treatment contrary to human dignity, also to mutilate their bodies after having killed them.

The Prophet, in fact, forbade mutilation, even of a wounded dog. For example, he ordered that the Infidels killed during the battle of Badr⁷ should be given burial.

The caliph Abu Bakr⁸ forbade his followers to bring him the heads of the enemy. He wrote to the commanders of his troops: "Do not bring me their heads, for if you do, you commit an outrage: be content to notify me of their death".

Mohammad Ibn Al-Hassan added the following comment: "There is no point in bringing the governors the heads of the vanquished since these are merely carrion; they should be buried to avoid disease.

⁶ *The Glorious Qu'ran*, translation and commentary by Abdullah Yusuf Ali. Published by the Muslim Students' Association of the United States and Canada, 1975.

⁷ Victory by the Prophet Mohammed in March 624, before the wells of Badr in Arabia, against his unbelieving compatriots.

⁸ Mohammed had not named a successor; therefore, the first Muslims of Medina chose to take charge of the State the Prophet's father-in-law, Abu Bakr. He took the title of Caliph (Khalifa), "successor of God's Messenger".

Decapitation, moreover, is a form of mutilation, and the Prophet has forbidden mutilation, even of a wounded dog”.

Abu Bakr also stated that “such acts were committed by ignorant people before Islam existed; we refuse to be likened to them”.

Article 75, paragraph 2, of Protocol I states that “the following acts are and shall remain prohibited at any time and in any place whatsoever, whether committed by civilian or by military agents:

(a) violence to the life, health, or physical or mental well-being of persons”.

4. Prohibition of certain means and methods of combat (general principles)

As we have seen above, Paragraph 1 of Article 35 of Protocol I mentions a fundamental rule under which “in any armed conflict, the right of the Parties to the conflict to choose methods or means of warfare is not unlimited”.

Comparison of the Islamic concept of international humanitarian law and the rules of positive law with regard to the means and methods of warfare make the latter appear passive, to the extent that they contain no explicit requirements, nor do they prohibit any specific method of warfare or mention limits beyond which the belligerents must not go. In contrast, the fundamental rules of the Islamic concept adopt a clear and definite position on the subject.⁹

The Prophet Mohammed, for example, taught his troops the conduct of Muslim warriors: “Treat them (the enemy) with patient benevolence and do not attack them as long as you have not invited them to become true believers; for, on this earth, all men are equal, whether they are city-dwellers or nomads. I prefer you to bring them to me when they have submitted, rather than that you take their women and children captive or kill their men”.

The underlying Islamic rule concerning methods of warfare is thus more frank and better defined than the provisions of positive law, at least as they are formulated. At this time when, as has been rightly pointed out, war no longer appears a legitimate or acceptable means of resolving international disputes, and when there is a period of détente in international relations conducive to peace, it would have been helpful had international humanitarian law been more explicit and definite on the subject.

⁹ Sultan, Hamid, *op. cit.*, p. 5.

We will now make a comparative study of the provisions regarding some major issues, those of positive law, on the one hand, and those of Islamic law on the other. The areas chosen are:

- methods and means of war
- protection of an enemy who is *hors de combat*
- protection of civilians and of objects of a civilian character during military operations.

II. Rules relating to methods and means of warfare: prohibition of perfidy and authorization of ruses

Examination of the provisions of positive international humanitarian law and those of Islamic law reveal that they both prohibit perfidy but allow the use of ruses in war.

1. Perfidy

The general principle enunciated by Article 37 of Protocol I is the prohibition of perfidy: “It is prohibited to kill, injure or capture an adversary by resort to perfidy. Acts inviting the confidence of an adversary to lead him to believe that he is entitled to, or is obliged to accord, protection under the rules of international law applicable in armed conflict, with intent to betray that confidence, shall constitute perfidy”.

Dating from long before the provision quoted, the general principle of Islamic law relating to treachery stipulates, in substance: “If thou fearest treachery from any group, throw back (their covenant to them so as to be) on equal terms: for Allah loveth not the treacherous” (Sura VIII, verse 58).¹⁰ Article 37 of Protocol I also mentions some cases of acts and behaviour considered as perfidy:

- “(a) the feigning of an intent to negotiate under a flag of truce or of a surrender;
- (b) the feigning of an incapacitation by wounds or sickness;
- (c) the feigning of civilian, non-combatant status; and

¹⁰ *The Glorious Qu’ran*, Sura VIII (Al-Anfal), verse 58.

- (d) the feigning of protected status by the use of signs, emblems or uniforms of the United Nations or of neutral or other States not Parties to the conflict”.

The historic precedents constituted by the wars of Islam provide eloquent testimony to the extremely critical judgement applied by Islam to the matter of perfidy, even in the wars that it conducted against its enemies. The following anecdote is a good illustration of this. From time to time, a Muslim warrior, having won the confidence of an enemy by promising to spare his life, killed him when he surrendered. The Caliph Ibn-Al-Khattab, learning that some Muslim warriors had done this during the campaigns against the Persians, sent an emissary to the commander of the Muslim army to tell him: “It has come to my ears that some of your men seek out the barbarians—i.e., the Persians—and harass them to the point where they flee and barricade themselves into refuges in the mountains. The Muslims then tell them not to be afraid; reassured, the Persians surrender; and at that moment the Muslims rush on them and kill them. I swear by God that I will cut the throat of anyone who has done this!”.

Moreover, Islam forbids the killing of anyone who deserts the enemy army. Nor does it allow an adversary to be outwitted by a promise of sparing his life, only to be killed afterwards. The rules of Islamic law relating to fair treatment stipulate, in effect, that if an enemy warrior or group of soldiers surrenders, the Muslims must undertake, if necessary, to guarantee the safety of those who have surrendered and, consequently, to eschew the resort to perfidy for the purpose of killing. Any Muslim who breaks this law therefore becomes an assassin liable to punishment.¹¹

The proscription of perfidy is thus a strict and inviolable principle of the divine law which Muslims are bound to respect, in the context of their relations among themselves and with non-Muslims,¹² relations which must be free of all discrimination, whether of persons, gender or beliefs.

Al-Shafi'i comments on this subject: “What Muslims agree is permissible in a Muslim country is so among Infidels also; in the same way, what is not permissible among Muslims is likewise not permis-

¹¹ Mansour, Aly, *The Islamic Sharya and public international law*, published by the Supreme Council of Islamic Affairs, Book 1, 1965, pp. 325 *et seq.* (in Arabic).

¹² Abu-Zahra, M., “The theory of war in Islam”, *Egyptian Review of International Law*, 1958, p. 30 (in Arabic).

sible among the others. For this reason, God will punish whoever infringes this code, whether Muslim or Infidel”.¹³

2. Ruses

Ruses of war, which have already been mentioned, are not forbidden in Islamic law or in positive international law. Indeed, the Prophet said: “War consists of ruses”, which nevertheless does not mean that any deception practised to mislead the enemy is to be considered comparable to perfidy or treachery.

Article 37, paragraph 2, of Protocol I, stating that ruses of war are not prohibited, is in agreement on this point with the provisions of Islamic law. The article also states that “ruses are acts which are intended to mislead an adversary or to induce him to act recklessly but which infringe no rule of international law applicable in armed conflict and which are not perfidious because they do not invite the confidence of an adversary with respect to protection under that law. The following are examples of such ruses: the use of camouflage, decoys, mock operations and misinformation”.

III. Rules relating to the protection of an enemy *hors de combat*

Articles 40 to 42 of Protocol I include provisions concerning the prohibition of extermination of the enemy and the killing of an enemy *hors de combat*, even if he belonged to a military force before becoming *hors de combat*. Here the Protocol corroborates what had been provided on the subject in the Regulations respecting the Laws and Customs of War on Land, annexed to the Hague Convention of 18 October 1907 (Article 23, paragraph d).

Indeed, in an armed conflict, the purpose of combat is to break the enemy's resistance, not annihilate it. Once the purpose has been achieved, by whatever means, it is forbidden to kill or torture adversaries.

¹³ Quoted by Al-Ghunaimi, Muhammad Tal-At, *A general review of international humanitarian law in Islam, humanitarian law and humanistic law*; first Symposium on International Humanitarian Law, Cairo, November 1983, p. 35 (*in Arabic*).

These principles are in perfect agreement with the essence of the Islamic doctrine of war, as expressed by the Prophet when he declared: "I am the prophet of mercy and the prophet of combat".

The law of Islam contains provisions advocating kindness towards enemy warriors, whether wounded or taken captive. The Koran had defined the way in which prisoners must be treated, in Sura 47, verse 4, for example: "Therefore when you meet the unbelievers (in fight), smite their necks at length when we have thoroughly subdued them, bind a bond firmly (on them); thereafter (is time for) either generosity or ransom until the war lays down its burdens".¹⁴

The text of the Koran is categorical in limiting the fate of prisoners to one of two alternatives: release without anything in exchange, or returning them for a ransom, which may consist either in the release of an equivalent number of Muslims held by the enemy (corresponding to the process of exchange of prisoners of war, as practised today) or in the payment of a sum of money.

However, historic precedents show that prisoners were executed in the time of the Prophet, and so some legal experts conclude that, according to the *Sunna*, execution of captives was also a possible choice. Other schools of legal thought have a different opinion, corroborating the attitude adopted by some of the Prophet's Companions.

It is related that one day Al-Hadjadj brought one of his captives to the son of Omar and asked him to execute the man. The son of Omar replied that such an act was contrary to divine precepts, which laid down that the prisoner should be freed, either absolutely or for a ransom.

The author of this study agrees with those who claim that captives executed at the time of the Prophet were put to death for crimes that they had committed against Mohammed or against Islam.¹⁵

Moreover, the Tradition of the Prophet (*Sunna*) as a whole confirms this opinion, considering the attitudes taken by Mohammed with regard to prisoners.

In fact, the Prophet always took one of two possible attitudes: either he freed captives in return for a ransom, or set them free without asking anything in exchange. The latter course is the one he took, for example, with Thamama Ibn Athal, Governor of Jamama, with the son of Hatim Al-Tai or, after Mecca had been conquered,

¹⁴ Al-Ghunaimi, *op. cit.*, p. 46, *The Glorious Qu'ran*, Sura XLVII, verse 4.

¹⁵ Al-Ghunaimi, *op. cit.*, p. 46.

with its inhabitants, to whom he said, once they were captive, "Go your way, you are free!"

The execution of Ibn Gharra Amru Ibn Abdallah Al-Dhamahi was a special case, which nevertheless accords with our interpretation of the facts: Ibn Gharra had been the only man taken prisoner at the battle of Uhver. The prophet had set him free without ransom after the battle of Badr, on condition that he did not speak calumnies regarding Mohammed. Yet when he returned to Mecca, Ibn Gharra failed to keep his word. The Prophet therefore had him arrested and executed, as a punishment for breaking his commitment.

Under Islam, prisoners of war are granted kindly treatment, which is considered comparable to an act of charity. Verse 8 of Sura 76 gives an illustration of this provision of the law in its description of pious Believers: "And they feed, for the love of Allah, the indigent, the orphan and the captive". The Prophet had said: "Always care for prisoners".¹⁶

IV. Rules relating to the protection of civilians and objects of a civilian character

Protocol I (Part IV, Section I, Chapter II) includes provisions relating to the protection of civilian persons, the civilian population and objects of a civilian character in the event of military operations. Article 50, for example, defines as a civilian any person to whom the status of combatant, as defined in the Third Geneva Convention and in Article 43 of Protocol I is inapplicable. Also, Article 51, paragraph 1, states: "The civilian population and individual civilians shall enjoy general protection against dangers arising from military operations". The same article, in paragraph 3, specifies that "civilians shall enjoy the protection afforded by this Section, unless and for such time as they take a direct part in hostilities".

Civilian objects are those that have no connection with military operations and are not concerned with them. They therefore enjoy protection against the dangers inherent in war.

Article 51, paragraph 4, of Protocol I likewise stresses that "indiscriminate attacks are prohibited", meaning attacks that make no distinction between military objectives and civilian persons or property.

¹⁶ *The Glorious Qu'ran*, Sura LXXXVI, verse 8.

Careful scrutiny of the precepts of Islamic law on the subject throw light on the precursor role it has played in settling the question of protection for all persons and objects unrelated to military activities. Islamic doctrine on the subject stipulates that operations of war must not exceed the limits of military necessity. The civilian population and individual civilians enjoy general protection against the dangers of hostilities and military operations, as long as they take no direct part in such operations.

The Koran text states: "Fight in the cause of Allah those who fight you; but do not transgress limits; for Allah loveth not transgressors"; and later "But they (the enemy) cease (fighting), Allah is oft-forgiving, most merciful": Also in the Koran is the command: "If then anyone transgresses the prohibition against you, transgress ye likewise, against him. But fear Allah! And know that Allah is with those who restrain themselves" (Sura II, verses 190, 192 and 194).¹⁷

The Prophet, addressing the commanders of his army during one of the battles he led, exhorted them: "Go forth in the name of God and with the blessing of the one He sent, but do not kill old people, children or women; do not commit abuses; do not keep booty for yourselves; be decent and good, for God loves those who do good". To Khalid Ibn Al-Walid he said: "Do not kill children or old people".

Along the same lines of thought, Caliph Abu Bakr Al-Siddiq told the commander of his army: "You will find people who claim that they are safe because they stay inside the mosques. Let them be. ... I give you ten orders: do not kill children, women or old people; do not cut down fruit trees or palm trees and do not burn them; do not destroy crops; do not butcher sheep or cattle, unless for eating; do not be tyrannical towards captives and do not put them in irons".

Islam forbids the killing of *children, women and old people* as long as they take no part in war. The Tradition of the Prophet, moreover, is eloquent on the subject. One day, for instance, Mohammed was looking at the dead on the battlefield after a fight, and found a woman's body among them. He became angry and said: "She should not have been involved in the fighting". He added: "Do not kill old people or children either", with the tacit condition that they took no part in the fighting.

But if they do participate in the fighting, should it be understood that it is then permissible to kill them? The Imam Malek replied in the negative, citing in his support the Prophet's prohibition of killing

¹⁷ *Ibid*, Sura II (The Cow), verses 190, 192, 194.

women and children.¹⁸ The Imam Al-Awzai claimed that it was never permissible to kill the enemy's women and children, even if the fighting men set them in front of their ranks as a shield, in an attempt to protect themselves by dissuading their attackers from striking.¹⁹

Islam also extended protection in the event of war to *members of religious orders*, since they are not involved in conflicts. Al-Sarkhasi however modifies this provision, commenting: "There are two types of men of religion: those who keep away from war and consequently testify to their right attitude; and those who openly advocate war and are therefore wholly comparable to fighting men. The conduct of such religious is deplorable".

It is reported of Caliph Omar Ibn Al-Khattab that he once when he was travelling to Jerusalem to make peace with its inhabitants he found a Jewish temple that the Romans had covered with earth. With his army, he then set to work to remove the earth from the temple in order restore it to the Jews for worship.

Islam also forbids the killing of *workmen* going about their occupations without taking part in the course of the war. In the same way, he deplores the murder of those accompanying the army on the march but taking no part in military activities—for example *traders*. The latter, in fact, by carrying on their civilian tasks are virtually the builders of civilization. War, according to Islam, is not aimed at wiping out civilization or at destroying its foundations, but, instead, at eliminating corruption from the earth. According to the sayings attributed to Abu Bakr, it is not permissible for Muslims to carry out destructive acts in enemy country, since such behaviour is derived from corruption, and "God loveth not corruption". The same idea appears in the following verse of the Koran: "When he (the impious man) turns his back, his aim everywhere is to spread mischief through the earth, and destroy crops and cattle. But God loveth not mischief" (Sura II, verse 205).²⁰

All these examples demonstrate that Islam sets restrictions on the conduct of Muslim fighting men, so that the violence of combat does not result in injury to non-combatants, since warfare, in Islam, is for the sole purpose of quenching the warlike passions of the enemy and crushing his resistance; it should never exceed these limits to take on

¹⁸ Al-Ghunaimi, *op. cit.*, p. 35.

¹⁹ Quoted by Mansour, Aly, *op. cit.*, p. 35.

²⁰ Al-Ghunaimi, M. T., *op. cit.*, p. 41; *The Glorious Qu'ran*, Sura II, verse 205.

the nature of reprisals, nor lead to abuses such as destruction, devastation, or the mutilation of the dead.²¹

With regard to *objects of a civilian character*, Islam also forbids their destruction, and it is certainly in this sense that Abu Bakr's prohibition on the cutting or burning of fruit trees and date palms should be interpreted. As we have seen, he forbade his army commanders to do this except in a case of military necessity—for example, if the trees formed a dense cover that the enemy could use as a strong-point, or as a place to which to retreat. In such a case, the emergency would require lifting of the prohibition.

It would be impossible, moreover, to claim that God had allowed the date palms to be cut by referring only to the literal meaning of the following verse of the Koran: "Whether ye cut down (oye Muslims!) the tender palm-trees, or ye left them standing on their roots, it was by leave of Allah" (Sura 59, verse 5).²² Some have in fact taken the words "date palm" in their strictest sense. We consider, however, that the allusion is to dates, the fruit, rather than to the tree; this is, as Professor Sheikh Abu Zahra claims, nearer to the original meaning. This interpretation is also corroborated by the behaviour of the Prophet's Companions who, during wars, cut the dates but left the trees standing.

The frequency with which date palms and trees in general are mentioned in Islamic law shows how greatly people at that time tried to protect them, as long as military necessity did not require their destruction. The same concern is reflected in the desire of the Prophet and his successors to forbid all forms of destruction.

All these facts enable us to realize that the rules of positive law coincide with those of the far older Islamic law and that both systems agree in recognizing the necessity, on the one hand, of distinguishing combatants from non-combatants and, on the other hand, of guaranteeing to the latter protection against the dangers inherent in war. Within Islamic law, in addition, there are rules giving special protection to children, women, old people, the sick, and members of religious bodies.

Objects of civilian character, that is, civilian installations and places, are guaranteed protection under the precepts of Islamic law and those of positive law, which forbid that they should be exposed to the dangers associated with military operations.

²¹ Abu-Zahra, M., *op. cit.*, p. 23.

²² *The Glorious Qu'ran*, Sura LIX, verse 5.

Conclusion

What conclusions may we draw on completion of this comparative study between the precepts of international humanitarian law and those of Islamic law in the context of war?

From all that has been said above, it may be stated that the Islamic concept of humanitarian law, while not identical with that of positive law, is not in contradiction with it. The Islamic concept, which forms an integral part of humanity's heritage of law, should be an instrument for promoting the standards of international humanitarian law in Muslim countries, standards that are to a great extent reflected in those countries' own legal tradition. Islamic law could—and should—become an essential and effective factor in ensuring the universality of international humanitarian law.

Said El-Dakkak

Said El-Dakkak, who was born in Egypt in 1942, studied law in Alexandria, and in 1963 obtained his degree *cum laude*. He made more advanced studies in Italy (Turin) and France (Nancy), specializing in public law. In 1973 he obtained his State Doctorate with a thesis on *The general theory of the decisions of international organizations*. Since then he has held the Chair of International Law in the Law Department of the University of Alexandria, where he is also Director of a Legal Services Centre concerned mainly with human rights. Among his numerous publications on international law and on the international organizations are a number of articles relating to humanitarian law and to human rights.

Imam Al-Awzai and his humanitarian ideas (707-774)*

by Ameer Zemmali

Mention of Abd-ar-Rahman Al-Awzai (707-774), the Imam of the people of Syria,¹ is found in many ancient Arabic texts such as Ibn an-Nadim's *al-Fihrist* and Ibn Abi Hatem ar-Razi's *al-Jorh wa at Taâdil*. More recent texts include the work on Al-Awzai by Dr. Sobhi Mahmassani on Al-Awzai (Beirut, 1978). This article gives a brief account of Al-Awzai's life and several of his ideas on the relationship between those who govern and those who are governed, and especially his contribution to the branch of learning of the *siyar* or the law of war.²

I. Al-Awzai and his era

According to most biographers, Al-Awzai was born in Baalbek in 707. In his quest for knowledge he was drawn to the cities of the east – Yamamah, Basra and Kufah – where he followed courses by several eminent scholars. After spending some time in Yamamah and Basra, he went on to Damascus and then settled in Beirut, where he died in 774.

With the second century of the Hegira came the rise of the *fiqh*.³

* This text is the author's adaptation of the original article in Arabic which appeared in the *International Review of the Red Cross*, Arabic edition, No. 4, November-December 1988.

¹ *imam*: title reserved for Muslim scholars who attain a high level of erudition in Islamic studies. In classical doctrine this term also applies to the leader of the Islamic community. In a narrower sense it denotes the person who leads the ritual prayer.

² *siyar*: (plural of *sira*; code of conduct, biography). The term was originally used for all literature relating to the life of the Prophet and his behaviour during his expeditions. It has now taken on the connotation of studies of the law of war in Islam and of "Islamic law of nations" in general.

³ *fiqh*: understanding, intelligence in general. In a specific sense, this term denotes *Islamic law*. A *Faqih* (plural *fuqaha*) is a specialist of the *fiqh*, or doctor of Islamic law. In Sunni Islam, there are four recognized schools of law or juridical *rites*: – the *Hanafi* school, which takes its name from *Abu-Hanifah* (699-767) and developed in Kufah (Iraq);

For the Islamic state it was politically a highly eventful period, the most important event being the transfer of power from the Umayyads to the Abbasids. Al-Awzai experienced these events and was in regular contact with the provincial governors and the caliphs, meeting and corresponding with them. There was keen competition between the doctors of law of the Islamic capitals, for each had its own imams and pioneers. Two canonical schools of law came into being in Iraq and the Hejaz (Arabia) respectively and their influence subsequently spread throughout the Islamic world: the *ra'y*⁴ school of Abu-Hanifah (699-767) and the *Hadith* school⁵ of Malik (713-795).

Al-Awzai, who was not one of their disciples but who had his own "rite",⁶ was one of the great doctors of law of his time. His rite lasted more than two hundred years in Syria and extended west as far as Andalusia until the reign of Al-Hakam Ibn Hicham, third Umayyad caliph there (771-822). After two centuries, however, the *Shafi'i* rite gained ascendancy in Syria and the *Maliki* rite in Andalusia, although that of Al-Awzai was still observed there for another forty years or so. There are several reasons for the impermanence of Al-Awzai's rite, one of the main ones being that little of his writings has been handed down to us and is at most recorded in the works of other authors. His disciples, unlike those of other schools, did not spread their mentor's *fiqh* throughout the Islamic world, particularly since the successive governments of the various states preferred to follow other rites.

Despite the offers he received from governors and caliphs, Al-Awzai never held any official post such as magistrate or minister. But this did not prevent him from showing interest in the duties of governors and the rights of the governed.

II. Al-Awzai and the relationship between the governors and the governed

A great *Hadith* narrator, Al-Awzai closely followed the tradition of the Prophet in all that he said and did. Two terms recur frequently in

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- the *Maliki* school founded by Imam *Malik* Ibn Anas of Medina (713-795);
 - the *Shafi'i* school named after Imam Shafi'i (born in Gaza in 767, died in Egypt in 819);
 - the *Hanbali* school founded by Imam Ahmad *Ibn Hanbal* (780-855) in Bagdad.

⁴ *ra'y* in Bagdad: independent opinion, doctrinal effort (to determine the law) based on independent opinion.

⁵ *Hadith*: sayings, comments. In Islamic terminology the name given to the traditional narrative record of the Prophet's sayings, acts or precepts.

⁶ See note 3 *supra*.

his writings: *shepherd* and *flock*. These two words are used in a famous *Hadith*: "Each of you is a shepherd and each shepherd is responsible for his flock".

It is enlightening to examine a number of letters sent by Al-Awzai to governors and quoted by Ibn Hatem ar-Razi. Al-Awzai considered that scholars were entitled to express their opinion to the Prince about the situation of the people and to write to him about public affairs. He thus addressed a letter to the caliph asking him to increase public assistance to the inhabitants of the Lebanese coast, reminding him that they are "the flock of the commander of the believers, and he is responsible for them". In this letter he referred to the rising prices and the resultant danger of indebtedness for the families, commenting that the state was therefore duty bound to intervene for the sake of the population.

In a message to Governor Abi Balaj, Al-Awzai defended the "People of the Book"⁷ and urged him to treat them with justice, basing his request on the *Hadith*: "He who harms a *dhimmi* or a protected person or burdens him beyond his means, I shall be his adversary on the Day of Judgment". He pleaded the cause of the Christians of Mount Lebanon when Governor Salah Ibn Ali al-Abbasi of Syria, uncle of the two caliphs As-Saffah and Al-Mansur, decided to impose heavy taxation on them and crushed their revolt. In this case Al-Awzai opposed the assertion that "the mass is answerable for offences committed by individuals", contending that the people expelled from their homes "are not slaves, but free People of the Book". We have found no trace in Al-Awzai's letters of a request for personal advantage, such as a particular post or favour. Thus although he could have held the highest public office, he was convinced that his duty lay in working for the good of the people as a whole. When Prince Abdallah al-Abbasi offered him the post of magistrate, he refused politely by saying: "Your predecessors did not discomfit me in this connection and I would that you grant me the same kindnesses as they did". He was all for social justice and public welfare, values which he felt could but consolidate the foundations of the state and strengthen its power.

At his time the Islamic world extended east to the Punjab and west as far as Andalusia. Within its borders occasional uprisings of varying importance broke out from time to time. As we have said, the Abbasids conquered power by the force of arms, but internal distur-

⁷ *People of the Book*, (*ahl al-Kitab*): those who possess the Holy Scripts, i.e. the Jews and Christians who dwell among the Muslims and enjoy the protection (*dhimma*) of the Islamic community. The term *dhimmi* means a person protected by the *dhimma*.

bances nonetheless persisted. Relations with the outside world were marked by the continuing war with the Byzantines. This was one of the reasons for the interest of the *fuqaha*⁸ in rules relating to peace and war and their ramifications. For the rules of war in general they used the term *siyar*, which is equivalent to the "law of war" in our contemporary terminology. Al-Awzai played an important part in this branch of learning.

III. Al-Awzai and the *siyar*

The *Book of the Siyar* is the most famous of Al-Awzai's writings and gave rise to a major debate between the different canonical schools of law. There is no original text in existence, but its contents can be found in the *Reply to the Siyar of Al-Awzai* by the Cadi Abu-Yusuf (731-798),⁹ a disciple of Abu-Hanifah, which is published in Volume VII of the *Kitab al-Umm* by Shafi'i.

In reality the *Hanafi* school was the first to codify the rules of war in the writings of Shaybani (748-804),¹⁰ the author of the *Small Siyar*. When he heard of its contents, Al-Awzai asked: "Whose is this book?" (i.e. who is its author?) "Mohammed al-Iraqi's (Shaybani's)", was the reply. He then said: "Is it the task of the Iraqis to write on this subject? They do not know the *siyar*. At that time the conquests of the Messenger of God, may God grant him prayers and salvation, and his companions were of Syria and the Hejaz, and not of Iraq, a country which was conquered later" (according to Ibn-Kathir).

This argumentation shows that in any aspect of Islamic law, Al-Awzai adhered to the *Hadith* and tradition. In his work he refers to the first Islamic period and the initial foundations of the Islamic state at the time of the Prophet and his companions. The extension of the Islamic empire, as we have seen, only took place later.

Although the *Hanafi* school preceded the other schools of Islamic law in beginning to formulate the *siyar*, thanks in particular to Shaybani, Al-Awzai, a contemporary of Abu-Hanifah, Malik and other doctors of law, was largely instrumental in its expansion. His opinions in relation to those of the other doctors of law were the subject of debates and comparative studies. In his *Reply to the Siyar of Al-Awzai*,

⁸ *fuqaha*: see note 3 *supra*.

⁹ Abu-Yusuf (731-798), a disciple of Abu-Hanifah and one of the founders of the school that bears his mentor's name.

¹⁰ Shaybani (748-804), another great disciple of Abu-Hanifah and founder of his school.

Abu-Yusuf shows the points on which his mentor Abu-Hanifah and Al-Awzai diverge; he supports Abu-Hanifah's point of view before expressing his own opinion, which is not far from that of his mentor.

In his book *al-Umm*, Shafi'i has preserved the entire text of Al-Awzai's *siyar*. He sets forth the ideas of Abu-Hanifah, Abu-Yusuf and Al-Awzai and then gives his opinion on the various questions presented. He is often of the same view as Al-Awzai.

The position adopted by Shafi'i (767-819), the founder of the third great Sunni rite, was midway between the two *Hanafi* and *Maliki* schools, but like Al-Awzai he drew considerably on the *Hadith*. It is also of interest to note that in his *Ikhtilaf al-Fuqaha* (divergence of the *fuqaha*)¹¹ Tabari presents the opinions of the doctors of law as regards the rules of war, showing the points on which they converge and diverge. They include the opinions of Al-Awzai, who emerges as one of the most important scholars.

In Al-Awzai's thinking the practical aspects predominate, whatever the subject under consideration. In his *siyar* he enlarges on an important aspect of the law of war, namely the treatment of *enemy persons* and *enemy property*. In view of the fact that the present law of armed conflict largely gravitates around this pole, it is evident how elevated Al-Awzai was in his views and convictions that in war, although people serve as instruments they remain first and foremost human beings. The bearing of his short treatise is limited, but this is because it is devoted to the new problems arising from the Islamic conquest and does not give an overall concept of the Islamic state's external relations. Thus he deals with the spoils of war and the rules relating to them, with captivity of the enemy's women and children, the consequences of the enemy's conversion to Islam, the position of renegades, protected persons, prisoners of war and spies, etc. On examining the rules set forth by Al-Awzai for the treatment of enemy persons and property, it is striking to see the extent to which he advocates respect for the human being and upholds the most tolerant of precepts.

1. Enemy persons

a) According to Al-Awzai, enemy *women and children* may not be killed as long as they are not taking part in the fighting. If they are captured, they may not be put to death.

¹¹ Published by J. Schacht, Leyden, 1933.

b) In conformity with the commands of the first caliph Abu-Bakr (632-634)¹² to the military leaders, Al-Awzai is opposed to *labourers, peasants, shepherds, hermits* or *old people* being put to death. The same applies for the mentally deranged and for people suffering from an incurable disease (for instance blindness). This point of view is shared by Abu-Hanifah and his disciples.

c) The situation of *spies* varies according to whether they are Muslim, People of the Book, or enemies.

When asked about the penalty applicable to a Muslim spy, Al-Awzai replies that he must repent or is otherwise liable to imprisonment. This is, generally speaking, the opinion of Abu-Hanifah and Shafi'i. Like Al-Awzai, they ban executions of Muslim spies.

If a spy belongs to the People of the Book and is providing the enemy with information about the Muslims or sheltering enemy spies, he is violating his pact and the Prince can order his execution. If he is bound by a *sulh* (peace) pact to the Muslims, their protection will not be granted to him and his pact will be openly denounced, in conformity with the teaching of the Koran's Sura VIII (Spoils of War).¹³

Conversely, according to Abu-Hanifah and Shafi'i the death penalty will not be applicable to him but he will be liable to severe punishment. His pact will not be broken.

The enemy who enters the territory of Islam (Dar-al-Islam) without *aman*,¹⁴ in order to engage in espionage, is liable to capital punishment. If he converts to Islam this penalty, according to Abu-Hanifah, will not be applicable; if he enters the territory of Islam without *aman* for a purpose other than trade and is proved to have engaged in espionage, the Prince orders his expulsion to a safe place in enemy territory, whereas if he enters with a *aman* for trade and is proved to be a spy, he will be punished then sent back to enemy territory. It can be seen from these early opinions of the *fiqh*, compared with the severe rules of modern penal legislation on wartime and peacetime espionage, that moderation and tolerance played a decisive part in the solutions defined by the first *fuqaha*, who advocated extreme solutions only for a limited number of cases.

¹² Abu-Bakr: first caliph of Islam (632-634).

¹³ "If thou fearest treachery from any group, throw back (their Covenant) to them, (so as to be) on equal terms; for God loveth not the treacherous", Surah VIII (Spoils of War), Verse 58, the *Koran*.

¹⁴ *aman*: security, protection, safe-conduct, promise of protection.

d) **Prisoners of war:** from the earliest days of Islam the *fuqaha* took an interest in the fate and treatment of prisoners of war. To remain within the scope of this article, we shall limit our account to the opinions of Al-Awzai and to the standpoint of the *Hanafi* school, since it was the first to have studied and defined the laws of war and peace in Islam.

According to Al-Awzai, the Prince has the choice of several solutions: he can ask the prisoner to convert to Islam (if he consents, he becomes a slave of the Muslims), he can have him executed; he can release him without anything in exchange, or he can exchange him for a Muslim prisoner. To announce his conversion, all the prisoner needs to say is: "I swear that there is no other god but God". He will thereafter receive the necessary instruction. Shafi'i's opinion is not much different, but he stresses the higher interests of the Muslims. According to Abu-Hanifah and his disciples, the Prince can choose death or slavery for the prisoners of war and must opt for the solution that best meets the Muslim interests; the death penalty cannot, however, be applied to the elderly, the infirm, to people with incurable diseases, to women or children. But the weight of opinion among the *fuqaha*, including the disciples of Abu-Hanifah, leaves the Prince a margin of choice, for the captive's life is not in the hands of the Muslim combatants. Thus Al-Awzai considers that the person who kills a prisoner must be punished and pay a "ransom" (blood-money), whereas most of the *fuqaha* do not demand a ransom.

It is important to note that the Koran contains no text ordering that prisoners of war must be put to death or enslaved. It is beyond doubt that all the *fuqaha* found the atrocious treatment reserved for Muslims in enemy territory intolerable, for torture, execution and slavery were common practices among the nations and peoples before, during and after the eighth century. But despite the brutality to which Muslim prisoners were exposed before being put to death or reduced to slavery, no *faqih* called for ill-treatment of enemy prisoners. The *fuqaha* were even unanimous in their views that good treatment must be given during captivity and that it is forbidden to separate a child from its mother when they fall into Muslim hands. Al-Awzai did not confine himself to answering theoretical questions about the situation of prisoners of war. He also intervened in actual situations by writing, for example, to caliph Al-Mansur (713-775) to call for the release of Muslim prisoners held by the Romans at Calicla in Armenia.

2. Enemy property

According to Al-Awzai, "it is unlawful for Muslims to perform an act of destruction in enemy territory, for that is corruption and God

loveth not corruption.” This applies to enemy property such as cattle, trees, inhabited dwellings and places of worship. The Islamic army is not entitled to go beyond military necessity. Furthermore, spoils of war do not mean that looting and vandalism are allowed; such spoils are on the contrary subject to rules that determine who shall possess them and how they shall be distributed. The rule generally applied is to divide spoils of war into five parts: one for the state and four for the combatants.

The theft of part of any war booty is unanimously prohibited by the *fuqaha*, in accordance with the Koranic rule. “If any person is so false (to this trust), he shall, on the Day of Judgement, restore what he misappropriated” (Sura III, verse 161). Before the spoils of war are shared out, the combatants may take nothing other than what they need to feed themselves or their livestock. According to Al-Awzai, an object without value may be taken, whereas he who steals from the spoils of war is denied his share and his equipment is burnt; he must return what he has stolen or its equivalent. Al-Awzai is firm on this point, to avoid anarchy within the troops because of war booty.

The doctors of law laid down rules governing the theft of war booty which differed from those applicable for ordinary theft. They were not unanimous, however, as to the penalty incurred by a person who steals booty. Unlike Al-Awzai, Abu-Hanifah, Malik and Shafi’i were opposed to that person’s equipment being burned.

According to the *fuqaha*, if Muslims retrieve part of the property taken from them as spoils of war by the enemy and if the initial owner identifies his property before the booty is shared out, he is entitled to reclaim it. If the sharing out has already taken place, he must pay the equivalent. The doctors of law gave long consideration to the question of spoils of war and studied the rules applicable to the movable and immovable property of the enemy. Al-Awzai, drawing on the Koran and the *Sunna*,¹⁵ was one of the first to give his opinion on these and all other related questions.

* * *

In conclusion, we can say that Imam Al-Awzai was one of the great *fuqaha* of the second century of the Hegira (eighth century A.D.). From the time the Islamic state came into being, he observed the various phases of its development and his attitude was that of a

¹⁵ The *Sunna*, or tradition of the Prophet, is the second source of the Islamic legal order.

neutral scholar, declining the official duties offered to him under the Umayyads and Abbasids, even the most important among them, the magistracy. In every case he was guided by the words and deeds of the Prophet and his companions. He defended the rights of the state's subjects and did not hesitate to uphold just causes.

Although Al-Awzai's *fetwa*¹⁶ were compendious, according to historians, no collections of writings have preserved them for us. But the known part of his *fiqh* is evidence of great erudition and considerable conviction. The essence of his legacy to us is doubtless contained in his small but extremely useful book on the *siyar*. He was one of the precursors of this branch of Islamic law which studies the rules of law, the conduct of combatants and the protection of non-combatants.

Al-Awzai's opinions and those of the other *fuqaha* should be viewed in their own context and historical circumstances. We could speak of another *faqih* or Islamic military leader renowned for his humanitarian views, but the choice of Al-Awzai was prompted by more than one consideration. Al-Awzai belonged to the first generation of *fuqaha* and showed great interest in the laws of war while simultaneously expressing deep humanitarian feeling, even though the Hanafites preceded him slightly in research on the *siyar* and produced a wealth of literature which has been handed down to us. In Lebanon in particular, Al-Awzai's attitude of defending and helping the oppressed in all circumstances was well known. To this day, his last dwelling place in Beirut has remained a place of pilgrimage. Perhaps more than anyone else, the Lebanese today need men like him!

Ameur Zemmali

Ameur Zemmali, of Tunisian nationality, was born in 1955. A law graduate (1980), he qualified as a barrister (1982) at the Faculty of Law in Tunis and obtained the Diploma of Advanced Law Studies at the Faculty of Law, Geneva University (1987). He taught Arabic at the Islamic Cultural Foundation of Geneva (1984-1988) and is currently a translator at the Egyptian Press and Information Office in Berne. Mr. Zemmali has lectured at several seminars on humanitarian and refugee law and is preparing a doctoral thesis on *Islam and Humanitarian Law*.

¹⁶ *fetwa*: legal opinion formulated by a *faqih* on a specific subject. The *mufti* is the authority who issues such an opinion.

INTERNATIONAL COMMITTEE OF THE RED CROSS

Missions by the President

In January and February 1990 the President of the ICRC, Mr. Cornelio Sommaruga, carried out missions to the Netherlands, Belgium and Mexico.

● In the Netherlands

The President of the ICRC, accompanied by Mr. Michel Convers, Head of the Operational Support Department, and Mr. Jean-Luc Blondel, Acting Head of the Division for Principles and Relations with the Movement, visited members of the Netherlands government and the National Red Cross from 22 to 24 January 1990.

Mr. Sommaruga was received by the Minister for Foreign Affairs, Mr. Hans van den Broek, and the Minister for Development Co-operation, Mr. J. P. Pronk, to whom he conveyed the ICRC's deep gratitude for the steady and substantial support it receives from the Netherlands.

The ICRC's operational activities worldwide, the ratification of the Protocols additional to the Geneva Conventions and the Twenty-Sixth International Conference of the Red Cross and Red Crescent were the main topics discussed by the ICRC delegation with the two Ministers and with the regional directors of the Ministry for Foreign Affairs and the Commissions concerned in both Chambers of Parliament.

The President of the ICRC was also received by H.M. Queen Beatrix of the Netherlands and by the Prime Minister, Mr. Rudolph Lubbers.

In meetings with the Netherlands Red Cross, the ICRC delegation continued discussions, begun several years earlier, on the distribution within the Movement of responsibilities during international relief operations. During his visit, the President of the ICRC was given the National Society's highest award.

At the University of Leiden Mr. Sommaruga gave a speech in which he voiced the ICRC's major concerns and appealed to all governments, members of the Movement and the public for a heightened awareness of humanitarian issues.

● In Belgium

The President of the ICRC, accompanied by Mr. Michel Convers, visited Belgium on 6 February 1990. He was granted an audience by H.M. King Baudouin, with whom he exchanged views on topics of mutual concern. Mr. Sommaruga and Mr. Convers also attended a working meeting with several high officials from the Ministry for Foreign Affairs and subsequently met the Prime Minister, Dr. Wilfried Martens, the Minister for Foreign Affairs, the Defence Minister and the Private Secretary to the Minister for Co-operation and Development.

Discussions with the authorities focused on Belgium's contribution to ICRC activities and the next International Conference of the Red Cross and Red Crescent. In addition, the ICRC delegation gave a general account of the institution's current activities.

Mr. Sommaruga and Mr. Convers were also received by H.R.H. Prince Albert of Belgium, President of the Belgian Red Cross, and by senior members of the National Society, with whom they discussed the ICRC's activities and relations within the Movement.

● In Mexico

From 19 to 23 February 1990 President Sommaruga paid an official visit to Mexico, where he had been invited by the Mexican Red Cross to attend a ceremony celebrating the 80th anniversary of its foundation. He was accompanied by the Delegate General, Mr. Jean-Marc Borner, and the Regional Delegate, Mr. Roland Desmeules.

The main purpose of the visit was to discuss with the Mexican authorities the ICRC's activities in Central America, the dissemination of international humanitarian law in Mexico and the country's accession to Protocol II.

Mr. Sommaruga had talks with the President of Mexico, Mr. Carlos Salinas de Gortari, the Minister for Foreign Affairs and the Secretary of State for Foreign Affairs, for whom he outlined the role and activities of ICRC regional delegations.

In a speech delivered at the Diplomatic Academy of Mexico, Mr. Sommaruga stressed the importance of ratification of Protocol II by all Latin American countries that had not yet done so.

The official ceremony marking the 80th anniversary of the foundation of the Mexican Red Cross took place on 21 February 1990 and was attended by the Mexican Head of State and his wife, the diplomatic corps and several government representatives. The speeches given by the President of the Republic, the President of the National

Society and the President of the ICRC highlighted the open attitude of the Red Cross towards young people, the important part played by volunteers, and the health care and training activities of the Mexican Red Cross.

The President of the ICRC was also invited to attend a meeting of the National Council of the Mexican Red Cross, which adopted a resolution in support of ICRC activities, particularly in Mexico. At the end of the meeting Mr. Sommaruga was presented with the National Society's highest award.

*EXTERNAL ACTIVITIES**January-February 1990***Africa****Angola**

As reported in the previous issue of the *Review*, surveys carried out regularly by ICRC teams to monitor the civilian population's nutritional status showed that the food situation in several districts of southern Huambo and Benguela provinces was worse than at the same season in previous years. During the period under review, the ICRC therefore stepped up its programme of food assistance to civilian victims of the combined effects of drought and conflict. A fifth Twin Otter aircraft was sent to reinforce the system established to transport food from the Atlantic coast to towns in the provinces of Benguela, Bie and Huambo. The nutritional status of the people in Ganda (Benguela province) made it necessary to set up a therapeutic feeding centre, in addition to the large-scale food distributions carried out in the area. The centre was opened on 7 February. The ICRC also provided support to Caritas, which was organizing "soup kitchens" for particularly needy groups. In all, the ICRC distributed 2,270 tonnes of food to some 100,000 people between 1 January and 28 February.

On 17 January, the Angolan authorities released two Namibian prisoners and handed them over to the ICRC. Both had been visited by ICRC delegates on three occasions during their captivity. On the day of their release, a delegate accompanied them on the flight back to Windhoek.

South-eastern Angola

Owing to intense fighting in south-eastern Angola between government forces and combatants of UNITA (National Union for the Total Independence of Angola), there was a massive influx of wounded people at the Luangundu hospital, where an ICRC medical team is working. In order to help local surgical staff deal with the growing number of admissions, the ICRC sent a surgeon to Luangundu to give training in war surgery. The hospital also receives regular consignments of medicines and medical supplies from the ICRC.

In early January, an ICRC team made a visit in accordance with the institution's customary criteria to 205 Angolan government soldiers in UNITA hands. During the visit, the prisoners received material aid.

Uganda

After a large number of wounded people from Sudan arrived in Moyo, in north-western Uganda, the ICRC sent a surgical team to the hospital there. The team, which is normally based at the ICRC hospital set up in Lokichokio (Kenya) to treat victims of the Sudanese conflict, went to work in one of the Moyo hospital's two operating theatres. Meanwhile, ICRC technicians were transforming a former prison three kilometres from Moyo into an infirmary, in order to relieve overcrowding at the hospital. The unit received patients after surgery performed by the ICRC team. Those requiring intensive post-operative care were flown to Lokichokio while the others were taken back to Sudan with sufficient medical supplies and medicines to continue their treatment.

Liberia

In January, the ICRC set up an assistance programme in Liberia following the outbreak of fighting in late December in the north-eastern county of Nimba. Several hundred people were killed in the fighting and tens of thousands of others were forced to flee to Côte d'Ivoire and Guinea.

Two members of the ICRC's regional delegation in Lagos arrived in the Liberian capital Monrovia in early January to assess the situation. One delegate and two members of the Liberian Red Cross Society received permission to go to Nimba. Although the medical needs of the victims were being met by the county's hospitals, some 5,000 displaced persons lacked food and hygiene necessities and were thus threatened by malnutrition and epidemics. The ICRC immediately provided rice, cooking oil and soap, which were distributed by National Society staff.

At the same time, the ICRC's regional delegate based in Lomé went to Côte d'Ivoire where she and representatives of the Red Cross Society of Côte d'Ivoire assessed the situation of the Liberian refugees. The ICRC provided the National Society with initial assistance in the form of logistic support and first-aid kits and helped to set up an aid programme. The League, which assumed responsibility for organizing relief, launched an appeal for 820,000 Swiss francs to

enable the National Society to furnish material and food assistance to the most destitute of the refugees over a period of three months.

Senegal/Mauritania

In January, the ICRC repatriated 23 Senegalese fishermen whom the Mauritanian authorities had just released. The men had been caught fishing in Mauritanian territorial waters last August at a time when inter-ethnic clashes had created serious tension between Mauritania and Senegal, with the two countries breaking off diplomatic relations. The fishermen were handed over to the ICRC in the Mauritanian capital on 14 January. A delegate accompanied them to the border, where they were received by representatives of the Senegalese authorities.

Somalia

Many people fell victim to the fighting which affected north-western Somalia. The growing number of wounded people arriving at the ICRC hospital in Berbera made it necessary to send a second surgical team there in early February.

Sudan

In the period under review, the ICRC stepped up its representations to the Sudanese authorities for permission to resume its relief flights into southern Sudan, which has been inaccessible by air since Khartoum closed Sudanese air space on 3 November to all the humanitarian organizations working in the south of the country. On 3 and 4 February, the ICRC was allowed to organize flights to Wau and Malakal to relieve its delegates there. Apart from those two flights, the ICRC has not been able to resume regular activities in southern Sudan.

Where the ICRC had staff in the field (Wau, Juba, Malakal), relief work continued throughout the period as far as food stocks permitted. Everywhere else, however, activities were brought to a standstill. To remedy this, delegates attempted to travel to southern Sudan by road from Lokichokio, Kenya. In late January, two convoys reached Bor where a logistics base was set up to facilitate access to other areas.

Latin America

El Salvador

During the first two months of the year, the ICRC delegation in El Salvador continued to focus its activities on protection and assistance for civilians and detainees. Indeed, although the general situation was calmer than at the end of 1989, there were repeated outbursts of sporadic fighting between members of the armed opposition (FMLN) and the Salvadoran army, and the state of emergency was maintained.

In this context, the delegates were nevertheless able to evacuate wounded from both sides and to resume routine medical activities and tracing work. They also evacuated 32 FMLN war disabled, who had been granted an amnesty, to another country.

Detention activities took up much of the delegation's time. While many of the detainees arrested in November and December 1989 were released, those who were still in jail and people more recently imprisoned were closely followed by the delegates.

In all, ICRC delegates made 496 visits to about 100 places of detention in January and February 1990. They registered detainees, had interviews with them in private and provided daily medical assistance, especially in San Miguel prison.

The delegates also wrote two memoranda on the events of November and December 1989, one for the Salvadoran authorities, the other for the FMLN. The subjects covered were protection of the civilian population, respect for the neutrality of hospitals and evacuation of the wounded.

The importance of dissemination was again emphasized and the delegates redoubled their contacts with the local authorities. The ICRC was also able to broadcast programmes explaining its role and its activities over local radio stations.

Panama

On 20 February, the ICRC sent two delegates, one of them a doctor, to Florida to visit General Manuel Noriega and three other prisoners, by virtue of the mandate conferred on the institution by the

Geneva Conventions. The delegates spoke with all four prisoners at the Metropolitan Correctional Centre in Miami, where they had been held since late December 1989.

Following several visits to Empire Range and Fort Clayton camps in the canal zone, ICRC delegates registered 149 prisoners. The American authorities had already released most of the detainees. The camps were closed in February and all remaining prisoners were transferred to Panamanian places of detention, where the delegates started visits to them on 26 February. The delegates also collected and distributed many family messages.

Nicaragua

As the presidential elections of 25 February 1990 drew near, President Ortega announced the release of persons being held for security reasons. An amnesty for 1,190 prisoners was approved by the National Assembly on 7 February. Most of them were members of opposition movements, but 39 were former members of the national guard under the Somoza regime.

The delegates visited the detainees at Tipitapa Prison near Managua on the eve of their release, which took place on 9 February, and gave them civilian clothing. The ICRC also provided transport for 138 of the amnestied detainees, the authorities taking charge of the others. The delegation also gave food parcels to branches of the Nicaraguan Red Cross for distribution to released prisoners.

The ICRC was aware that about 100 security detainees had not benefited from the amnesty, and so the delegation decided to make another round of all the places of detention it visited; this series of visits was to take place in March.

As in El Salvador, protection of the civilian population is an important aspect of ICRC work in Nicaragua. In the course of numerous field missions, the delegates organized information meetings, called *charlas*, in villages, distributed non-food relief supplies and treated and evacuated wounded civilians. In addition, the delegation in Managua handled 1,030 Red Cross messages.

Furthermore, a number of delegates stationed in Nicaragua went to assist the teams in El Salvador and were sent to Panama in connection with the recent events there.

Asia

Afghan conflict

ICRC activities for the victims of the Afghan conflict remained intense at the beginning of 1990. An escalation in the fighting around the Afghan town of Khost, south of Kabul, resulted in a influx of wounded at the ICRC surgical hospital in Peshawar, where a fourth surgical team was called in to provide temporary assistance. The ICRC hospital in Kabul was also very active during the reporting period, particularly in late February when the Afghan capital came under rocket attacks.

Meanwhile the delegates based in Pakistan and in Afghanistan pursued all their usual activities. From Pakistan, they conducted many missions to Afghan provinces and continued visits to persons being held by the opposition. At the same time, the delegates based in Afghanistan, in the ICRC sub-delegations opened in Herat and Mazar-i-Sharif in August 1989, also made frequent visits to the provinces. The main purpose of these missions was to carry out tracing work and make contacts which would enable the ICRC to expand its activities in provinces to which it has only recently had access. As regards detention work, on 8 January a team of delegates finished a third complete series of visits to sentenced prisoners being held in Pul-i-Charki prison in Kabul. Detainees in the prison also received material assistance, consisting of warm clothes and blankets, in January. In the same month a team of delegates conducted a second series of visits to sentenced prisoners held in the provincial prison of Farah, who had been seen for the first time in June 1989.

The ICRC Delegate General for Asia and the Pacific went on a mission to the Afghan and Pakistan capitals in February. In the course of his meetings, in particular with the President of the Democratic Republic of Afghanistan, Mr. Najibullah, the Pakistan Minister for Foreign Affairs, Mr. Yaqub Khan, and the President of the interim government of the Afghan opposition based in Pakistan, Mr. Mojaddedi, he reviewed ICRC activities in the framework of the Afghan conflict and discussed ICRC concerns in detail, in particular with respect to protection.

Sri Lanka

ICRC activities in Sri Lanka, which date from October 1989, remained intense. The delegates continued their series of visits to the country's many places of detention (army camps, prisons and police

stations), visiting almost 2,500 detainees in January and February. At the same time, tracing work was maintained at a steady pace, the delegation's offices in Colombo receiving an average of 20 enquiries daily about people missing as a result of the fighting. In order to facilitate its activities in the country, the ICRC based a team in Kandy in the centre, and another in Matara in the south, to cover the central and southern provinces. Teams of delegates also continued to conduct surveys in various parts of the country, in particular the north and the east as yet unvisited by the ICRC, to assess the situation and especially medical needs. Finally, the delegation carried on with a major programme, launched in December 1989, to disseminate international humanitarian law. A delegate specialized in dissemination to the armed forces gave theoretical courses at several army bases, including those in Jaffna, Trincomalee and Vavuniya. The courses focused on respect for basic humanitarian rules and sometimes included practical exercises.

Cambodian conflict

The ICRC continued its activities for the victims of the conflict in Cambodia, seeking in particular to expand medical activities and tracing work within the country in parallel with its operations on the Thai border. In January, a team of delegates spent a week in Battambang, where the ICRC was authorized to start work in October 1989. The ICRC was nevertheless not yet able to base a permanent team in the town.

On the Thai side of the border, the ICRC remained deeply concerned about the plight of displaced Khmer civilians, particularly those in camps administered by the Democratic Kampuchea faction. In January, the 4,400 civilians in Borai camp, located in the southern sector of the border and administered by Democratic Kampuchea, were transferred, without the ICRC being able to ensure that they were going of their own free will. They were taken to places close to the border, in an area to which humanitarian organizations do not have access. The ICRC expressed its anxiety about the location of the new sites, situated in a mine-strewn and malaria-infested area, and made repeated representations—but in vain—to the camp officials and the Thai authorities to have the entire population of Borai transferred to Site K. The latter, which was opened in May 1989 at the request of the ICRC and various international organizations, is intended to hold civilians administered in the southern sector of the border by Demo-

cratic Kampuchea, in a place some distance from the conflict zones and accessible to humanitarian services.

China/Viet Nam

On 19 January, 17 Vietnamese prisoners of war and five Chinese prisoners of war, all visited by the ICRC in the past, were released simultaneously. An ICRC delegate was present when the prisoners were handed over to their respective authorities.

Philippines

For the ICRC delegation in the Philippines, the year began with a tragedy. On 19 January, an ICRC delegate and a member of the Philippine National Red Cross were killed in an ambush on the island of Mindanao.

The team to which the two victims belonged was coming back from a survey and travelling in two vehicles—distinctly marked with red crosses—when the attack took place north of Cotabato City. Four young men in civilian clothes stopped the vehicles, demanded money and stole equipment. Shots were suddenly fired at the second vehicle, fatally wounding two of its occupants.

Walter Berweger, an ICRC delegate, and Juanito Patong from the Philippine National Red Cross died while being taken to hospital in Cotabato. A local ICRC employee, Roberto Mira, was slightly wounded.

Walter Berweger had been the head of the ICRC sub-delegation in Mindanao for eight months. He had previously been an ICRC administrator in Lebanon and Pakistan and subsequently a delegate in El Salvador, before working at ICRC headquarters in Geneva and then leaving for the Philippines.

In a public statement, the ICRC expressed its profound sympathy for the families of all three Red Cross workers, referring to the attack as an “outrageous act”. It emphasized that this tragic event further confirmed the imperative need to respect the red cross and crescent emblems at all times, failing which its delegates could not fulfil their neutral, humanitarian and impartial mission.

Middle East

Lebanon

While the ICRC was doing all in its power to help the victims of the Lebanese conflict, the two delegates abducted in October 1989 in Sidon, Emanuel Christen and Elio Erriquez, started their fifth month of captivity.

On 6 February, four months to the day after the kidnapping of the delegates, the ICRC released a statement calling on all the parties in Lebanon, and all the governments that had assured it of their support, to increase their efforts to obtain the release of the two hostages. The institution said that the abduction was especially intolerable at a time when the ICRC was striving to bring about a truce in the fighting in Lebanon so that it could come to the aid of the victims. Once again, the ICRC appealed for the release of the two men, saying that their detention was a grave violation of the respect its delegates needed to carry out their humanitarian mission.

In Geneva, action committees for the hostages organized a gathering at the International Red Cross and Red Crescent Museum on 6 February to demonstrate their solidarity.

In the meantime ICRC representatives were continuing their approaches to countries and groups that might help bring about the delegates' unconditional release. At the end of February, however, there was still no news of Emanuel Christen and Elio Erriquez.

Fierce fighting between rival Christian forces in and around Lebanon's East Beirut left thousands of dead and wounded in February. Tank, artillery and rocket fire caused massive destruction and forced civilians into shelters for days on end.

Hospitals flooded with casualties and sometimes hit by shells ran short of essential supplies. The wounded lay in corridors, morgues were full, and the hospitals soon launched urgent appeals for medical supplies, oxygen and food. Water was also running short and a lack of electricity forced the hospitals to rely on emergency power 24 hours a day.

The ICRC repeatedly called for a humanitarian truce to allow its delegates to provide assistance, describing the plight of the civilian population as desperate. It was able to help hospitals to the north of the city during the first few days, but in East Beirut intense fighting continued and negotiated ceasefires collapsed one after the other.

One week after the fighting broke out, the ICRC and the Lebanese Red Cross entered East Beirut with a convoy of relief supplies. Medicines, medical equipment, oxygen tanks, food and petrol for generators were distributed to several hospitals and further deliveries were made in the following days. A number of wounded people and the mortal remains of the dead were taken to West Beirut.

The Tracing Agency had to deal with thousands of requests for news following the breakdown of normal means of communication (postal and telephone services). Finally, the delegation visited over 900 prisoners captured by both sides in the course of the fighting.

Western Sahara

The ICRC Director of Operations went to Morocco in mid-January for a meeting with the Minister for Foreign Affairs about the fate of prisoners held, some of them for as long as twelve years, in the context of the Western Sahara conflict. He drew attention in particular to the 200 Moroccan prisoners of war held by the Polisario Front, whom the latter had said could be freed in May 1989. He emphasized that the ICRC was available to finalize the terms under which the prisoners would be released and returned to their country.

Iran-Iraq

In January, the ICRC repatriated 70 Iraqi and Iranian wounded or sick prisoners of war, following unilateral decisions made by both Iran and Iraq.

Thus, on 17 January, 50 prisoners were handed over to ICRC delegates in Tehran. Accompanied by a team made up of two delegates, a doctor and two nurses, they were taken to Baghdad on board an aircraft chartered by the ICRC and were received on arrival by representatives of the Iraqi authorities.

The following day, 20 Iranian prisoners boarded the same aircraft with the ICRC team for their flight to Tehran, where they were received by the Iranian authorities.

The ICRC delegates and doctors spoke to all the prisoners individually and without witnesses before the repatriation, to ensure that they were fit to travel and wished to return to their respective countries.

Europe

Romania

On 22 December, the day Mr. Ceaucescu's government fell, a team of ICRC delegates was already on the spot in Bucharest. The events prompted a large-scale humanitarian mobilization for Romania. During the emergency phase, the ICRC co-ordinated the material and medical assistance sent by many National Societies.

At a meeting in Bucharest on 20 and 21 January the representatives of 21 National Societies, the League and the ICRC decided on a clear distribution of tasks. On the basis of very detailed surveys in five test areas, three major groups of victims were accorded priority: abandoned children under three years of age, the disabled and the elderly. General responsibility for co-ordination of assistance programmes for these groups fell to the League, in accordance with an *ad hoc* agreement signed by the League and the ICRC. The ICRC nevertheless continued to be involved in a programme to distribute surgical equipment and medicines. The first of the four distributions planned started at the end of February.

From the outset the ICRC had attempted to visit persons arrested as a result of the events and was able to see some detainees in early January. On 6 February, the delegates started a series of visits to detainees, first at the Law Courts in Bucharest, then in Sibiu, Aiud, Timisoara, Arad, Cluj, Alba Julia and some other places.

World Campaign for the Protection of War Victims

The idea of a world campaign for the protection of war victims was initially put forward at the Twenty-fifth International Conference of the Red Cross held in Geneva in October 1986.

The Conference, expressing alarm at the number and scale of unnecessarily cruel acts of war and by the use in certain conflicts of prohibited weapons, often directed against the civilian population, recommended in its Resolution VIII "a universal campaign to make known to all, not only to the armed forces, but to the civilians, the rights of the latter according to international law".

The official decision to launch a world campaign for the protection of war victims was taken unanimously by the Council of Delegates at its November 1987 session in Rio de Janeiro. In its Resolution 2, the Council adopted a project on the matter, submitted by a joint working group appointed by the Commission on the Red Cross, the Red Crescent and Peace and composed of representatives of the Swedish Red Cross, the ICRC, the League and the Henry Dunant Institute.

The resolution enjoined "all National Societies, the ICRC and the League not only to give the project their moral support, but also to work for its execution both at national and international levels".

The Commission on the Red Cross, the Red Crescent and Peace thereupon increased the membership of the Joint Working Group, which in April 1989 became the Campaign's Steering Committee. This Committee is chaired by the Vice-Chairman of the Swedish Red Cross, Mrs. Christina Magnuson, and is composed of representatives of the National Societies of Bulgaria, Cuba, Finland, Libya, Malaysia, Swaziland and Sweden, the ICRC, the League and the Henry Dunant Institute, and the Campaign Director. It submitted to the Council of Delegates of 27 October 1989 a progress report presenting the objectives of the Campaign, its preliminary plan for 1990-1991 and the financial aspects involved.

In its Resolution 1, the Council of Delegates approved the general goal of the Campaign and, subject to available resources, the plan as outlined in the Steering Committee's report.

The International Review of the Red Cross is pleased to present below the general goal and specific objectives of the Campaign (extracts from the above report) and the main features of the preliminary Campaign plan, updated to March 1990.

GENERAL GOAL

1. Basic statement

War and violence continue to prevail in vast areas of the world. This must not be forgotten or tolerated. The International Red Cross and Red Crescent Movement, from the very midst of conflicts, is duty bound to make its voice heard, to testify to the unimaginable suffering and distress that inevitably accompany all wars. Men, women and, above all, children seriously injured not only physically but also in mind and spirit, orphaned, homeless, helpless, bereft of care, must spur the conscience of those in power, impressing upon them their duty to find peaceful solutions to their disputes.

But this ambitious aim must be combined with a more immediate objective: better protection and assistance for the victims of armed conflicts within the overall context of respect for international humanitarian law. This objective is all the more imperative today as conflicts become increasingly deadly, as methods of warfare progressively eliminate the essential distinction between civilians and military personnel.

Nowadays the great majority of victims are women, children and the elderly, who are not involved in hostilities. And yet it is primarily these people whom international humanitarian law aims to protect from hostilities.

Having the vocation and the mandate to act for the protection of the victims of all wars, being actively involved in almost all conflict areas in the world, the International Red Cross and Red Crescent Movement is convinced from its first-hand experience that much more must now be done. International humanitarian law must be fully respected; civilian populations and other potential victims of war must know and assert their rights.

The International Red Cross and Red Crescent Movement has therefore decided to launch a World Campaign for the Protection of War Victims. This Campaign is intended to promote a universal awareness of the problem, a change in attitudes, and greater efficacy in helping the victims.

The Campaign must be truly worldwide, with the support of all the National Red Cross or Red Crescent Societies and, in the forefront, ICRC and League delegations in the field.

2. The message of the Campaign

The basic content of the message will be simple and self-evident:

Wars cause intolerable human suffering and jeopardize human dignity. Peaceful settlements to armed conflicts must be sought.

All victims of war are entitled to protection and to respect for their persons.

Combatants have the duty to protect all victims of war and must not destroy property necessary for the survival of civilians.

More can and must be done to improve the situation of victims. We, you can help. Political leaders can help us to help.

3. Objectives

The general objectives of the Campaign, therefore, will be:

To make public opinion and governments worldwide fully aware of the plight of the victims of armed conflicts, in order:

- to prevent new conflicts from claiming additional victims;
- to give practical assistance to present victims;
- to improve long-term assistance in favour of victims.

A WORLD-WIDE MOBILIZATION

1. A global strategy

The Campaign is part of the Movement's long-term information policy and communication plan, proposed to the Council of Delegates by the ICRC and the League.

The Campaign will therefore contribute to promoting a humanitarian mobilization on behalf of victims worldwide, thereby enhancing the image of the Movement. It will be the first attempt to implement this strategy on a universal basis. In particular, World Red Cross/Red Crescent Day 1991 will focus on the victims of war.

The Campaign does not replace in-depth, long-term dissemination efforts. It should rather help create a more favourable environment for the humanitarian work of the Movement and enhance respect for international humanitarian law.

2. Mobilizing the whole Movement

No such mobilization is possible unless the entire International Red Cross and Red Crescent Movement plays an active role. That means that in addition to discharging their regular activities, all 149 National Societies should participate, each according to its respective ambition, resources and circumstances.

While the Campaign will be organized by the International Red Cross and Red Crescent Movement, the help of other governmental and non-governmental organizations will be solicited.

3. Target audience

The Campaign's main target in both conflict and non-conflict areas will be the general public. The ways and means of approaching this audience will vary considerably, depending on the prevailing circumstances in different areas of the world.

The Campaign must adapt to these circumstances; special attention must be directed to the setting up of an original and forceful programme capable of attracting the interest of the media and of increasing the impact of long-term dissemination programmes.

PRELIMINARY CAMPAIGN PLAN

The Campaign plan includes a number of events scheduled between January 1990 and October 1991, with a peak period in May 1991. The various stages are as follows:

1. Colloquium on the protection of war victims

The major theme of the Campaign, the protection of war victims, was launched "intellectually" by a Colloquium held in Geneva on 23 and 24 February 1990. An account of the discussions at the meeting and its conclusions, drawn up in the form of an appeal to protect civilians during armed conflicts, appear below (see p. 144)

2. International drawing competition

A worldwide drawing competition for children up to the age of fifteen will be held with the active participation of National Societies. In each country, the National Societies are invited to request a major newspaper to either sponsor or organize the contest. The children's drawings will be sent in to the newspapers, which will in turn set up national juries together with the National Societies to judge the entries. The newspapers will award prizes and

send the ten best drawings to the Campaign headquarters in Geneva. An international jury will then choose twenty or thirty of the most outstanding drawings from among the several hundred already selected and award international prizes in the form of visits, either to a country having suffered from war or to Geneva.

In January 1990, the National Societies were invited to start organizing and promoting the competition in their respective countries.

3. Promotional and support material

To help National Societies promote the Campaign and World Red Cross and Red Crescent Day, the ICRC and the League will prepare *written and audio-visual material* including “reportages”, eye-witness accounts, humanitarian projects, photos and posters.

Material assembled for World Red Cross and Red Crescent Day will also comprise a series of *humanitarian projects to help the victims of armed conflicts*. The plan is to raise the funds needed to implement those projects from National Societies and private sources, and an appeal for sponsorship will be launched during the event on 8 May 1991 (see below).

Moreover, *a report on war victims* will be prepared by the ICRC in co-operation with the Uppsala University Department for Peace and Conflict Research and distributed to the public. It will use actual events, analyses, eye-witness accounts and illustrations to describe the realities of war and the ordeal of civilian victims in times of conflict. This report should be used as a permanent back-up for the Movement’s humanitarian mobilization efforts and as an essential complement to the Campaign appeal.

4. The Monument to Peace

The plan is that a sculpture incorporating two missiles, one American, the other Soviet, should be erected in the Place des Nations in Geneva and unveiled on 8 May 1991. It would be the work of a group of sculptors from several countries, including the USA, the USSR and Switzerland.

5. Global event on 8 May 1991

World Red Cross and Red Crescent Day, 8 May 1991, will mark the culminating point of the Campaign. The key event will be a worldwide television programme broadcast with co-operation from several major television networks and financed by private sponsors.

The main purpose of this global event will be to promote public awareness of the plight of war victims and to raise the necessary funds for a wide range of humanitarian projects to protect the victims of conflict (see above).

The worldwide TV programme should consist of a series of documentaries and short films made in the field by directors of international repute. This basic material would be spread throughout the programme, interspersed with footage showing related events (e.g., parades, concerts, debates, messages of support, appeals for funds, etc.) organized in various countries in co-operation with the National Societies and local TV networks.

A project currently under consideration is to form a "human chain" all around the world linking heads of State, leading personalities and victims of war.

The promotion of the Campaign will be partly entrusted to "ambassadors", whose mission will be to inform the media about the various events organized during the Campaign and to ensure optimum impact of its message. The National Societies are invited to appoint their national ambassadors from among well-known figures in the cultural, scientific, artistic or sports world.

6. Financing of the Campaign

Pursuant to Resolution 1 of the Council of Delegates, the overall Campaign programme will have to be tailored to available resources. There will be three types of expenditure, i.e., costs involved in running the Campaign itself, expenses incurred in connection with international events and the financing of humanitarian projects during the peak period of the Campaign.

The funds required to cover administrative expenses will have to be found within the Movement. National Societies have been enjoined by the Chairman of the Commission on the Red Cross, the Red Crescent and Peace and the Chairperson of the Campaign's Steering Committee to work for the implementation of the campaign programme, in accordance with Resolution 2 of the Council of Delegates held in Rio de Janeiro in 1987.

Expenditure associated with the global events described in the preliminary Campaign plan will depend on funds raised from sponsors.

Financial resources needed to implement the humanitarian activities will have to be raised during the global event on 8 May 1991. A special appeal to finance specific projects will be made to the public that day, and the money collected will be entirely allocated to implementing those projects.

COLLOQUIUM ON THE PROTECTION OF WAR VICTIMS

(Geneva, 23-24 February 1990)

The first public event of the World Campaign for the Protection of War Victims took place in Geneva on 23 and 24 February 1990, in the form of a Colloquium attended by some thirty personalities of international repute—politicians, academics and members of humanitarian institutions, artistic circles and the media.

The list of participants was as follows: Prince Sadruddin Aga Khan, former United Nations High Commissioner for Refugees, who at present heads the United Nations operation in Afghanistan; Mr. Maurice Aubert, Vice-President of the International Committee of the Red Cross; HRH Princess Christina of Sweden, Vice-Chairman of the Swedish Red Cross and Chairman of the Steering Committee of the Campaign; Mrs. Malak El Chichini-Poppovic, an Egyptian expert in political science and economy, working for the University of São Paulo's Institute for Research on Violence; Mr. Jonathan Fenby, a British journalist and Deputy Editor in Chief of "The Guardian"; Mrs. Gisèle Halimi, a Paris lawyer and Chairman of the Association "Choisir"; Mr. Alexandre Hay, former President of the ICRC, Chairman of the Commission on the Red Cross, Red Crescent and Peace; Mr. Jean-Pierre Hocké, former United Nations High Commissioner for Refugees; Mrs. Michiko Inukai, a Japanese writer and journalist, Chairman of the Foundation for Child Refugees in Japan; Mr. Abbas Kelidar, Adviser to HRH Hassan Ibn Talal, Crown Prince of Jordan; Mr. Dragoljub Najman, a writer and former Assistant Director General of UNESCO; General Olusegun Obasanjo, former President of Nigeria; Mr. Roland Paringaux, journalist, "Le Monde"; Mr. Misael Pastrana-Borrero, former President of Colombia; Mr. Dith Pran, photographer, "The New York Times"; Mr. Yves Sandoz, Director at the ICRC (in charge of Principles, Law and Relations with the Movement); Mr. Amadou Seidou, former Ambassador of the Niger to France; Mr. Pierre de Senarclens, Professor of International Relations, University of Lausanne, and President of the World Organization against Torture ("SOS Torture"); Mr. Pär Stenbäck, Secretary General of the League of Red Cross and Red Crescent Societies; Mrs. Han Suyin, a writer of Chinese origin and expert on Chinese affairs; Mr. Serge Telle, Technical Adviser on International Affairs,

Office of the Secretary of State for Humanitarian Policy attached to the French Prime Minister; Mr. Peter Townsend, a Royal Air Force hero of the Second World War, who is the author of several books on the plight of Third World children; Mr. Peter Ustinov, actor and dramatist, Goodwill Ambassador for UNICEF, UNESCO and the UNHCR, the first Goodwill Ambassador appointed for the World Campaign; and Mr. Karel Vasak, a former Director at UNESCO, who is an expert in international law.

The following representatives of the ICRC, the League of Red Cross and Red Crescent Societies and the National Societies were also present at the Colloquium as experts: Mrs. Jacqueline Avril, physician and ICRC delegate; Mr. Jean-François Berger, ICRC delegate; Mr. Peter Oryema, Secretary General, Uganda Red Cross Society; Mr. André Pasquier, Special Adviser to the Director General of the ICRC, and Dr. Kingsley Seevaratnam, Adviser to the Secretary General of the League on International Affairs.

* * *

The Colloquium was opened by the Chairman of the Steering Committee of the Campaign, Princess Christina of Sweden. In her address, the most important passages of which are quoted below, she spoke of the international community's debt to Henry Dunant and pointed out that the International Red Cross and Red Crescent Movement, founded by him, had gone on to become a world-wide movement that for more than 125 years had helped to save people from death, humiliation and oblivion.

Deplorably, however, every day events run counter to humanitarian principles:

"How many men, women and children throughout the world are still waiting for the protection and assistance to which they are entitled?"

How many of them have sent cries of distress from the depths of their solitude and anguish, from their jail cells and camps for prisoners and refugees?

How many are suffering from irremediable wounds, from the loss of a father or mother, of a husband or wife, of a child, or have seen in the ruins of their homes the loss of everything most dear to them?

This has been the fate of tens and even hundreds of thousands of people, most of them civilians."

Great and efficient though the efforts of committed persons and humanitarian institutions are at the present time, humanitarian action remains insufficient. More than ever, "respect for humanitarian law is our struggle".

"Is it idealistic to call on humanity to refuse the fatality of war?"

Is it idealistic to claim primacy for a law which is the birthright of all

civilizations and which, if not respected, precludes respect for all of humanity?

Is it idealistic to want to make the cries of these millions of forgotten victims heard, and to respond by giving them the protection and assistance they need?

Is it idealistic to call on all governments to ratify and apply fully the existing conventions on international humanitarian law and human rights?

Yes, it is, just as idealistic as it was over 125 years ago to launch the revolutionary idea of the Red Cross and the initial Geneva Convention. But this is idealism in the service of a profoundly realistic cause.

I am convinced that respect for life and human dignity is today the only realistic policy."

Princess Christina concluded by saying:

"As the 20th century draws to an end, the solution to the major problems of our time cannot be dissociated from respect for the universal values on which humanitarian endeavour is based. Whether protecting human life or alleviating suffering, fighting hunger and disease, promoting understanding and co-operation, no lasting progress can be made unless measures are taken to safeguard the life and dignity of every human being.

Only by making this awareness truly universal can we hope to renew the humanitarian spirit and instill greater morality into politics.

This Colloquium, which marks the launching of the World Campaign for the Protection of Victims of War, provides us with an exceptional opportunity for contact and dialogue that can help to bring that life-giving spark of humanity, hope and peace to all victims of war."

At the opening ceremony, a message from Mr. Pérez de Cuéllar, Secretary General of the United Nations, was also read out:

"Today's Solferinos occur mainly within the borders of a country, where brother fights against brother and the innocent victims are women, children and old people. It is therefore the plight of civilian victims of armed conflict that has now become one of the major worries of humanity... I want you to know that we in the United Nations shall follow your discussions with the closest attention and that you can count on the total support of the international community."

In a message to the Colloquium Mr. Willy Brandt, former Chancellor of the Federal Republic of Germany, said:

"While Europe is mourning the victims of the bloodshed in a country like Romania, thousands of women, children and old people around the world have to endure hardship as the civilian victims of ongoing armed conflicts.

Since these people living in misery need our solidarity and assistance on all continents, I fully support your initiative to launch the World Campaign for the protection of civilian victims of all kinds of wars”.

* * *

The World Campaign for the Protection of War Victims seeks to mobilize public opinion in support of two simple ideas:

- Everything possible must be done to bring present armed conflicts to an end. It is the duty of governments to find some means of proscribing for ever this outdated way of settling disputes.
- So long as there are armed conflicts their victims *must* be given the protection and assistance that is their right.

Taking these two ideas as a starting point, the Colloquium discussed the three following themes:

1. Working for peace

The world has become a “global village”. It is threatened by present-day conflicts. Increasingly sophisticated weapons have made war ever more cruel, indiscriminate in its effects and unforeseeable.

What conditions, methods and means would bring an end to war? How must we interpret current events in view of the imperative need for peace?

The Colloquium recognized that war is not inevitable and that more effort should be devoted to preventing it by removing its root causes. These are closely connected with present-day problems such as underdevelopment, famine, overpopulation and pollution.

At present there seems to be a *détente* in international relations. Advantage should be taken of it to try to reach a peaceful settlement of regional and local conflicts, all of which are obstacles to true peace. But as the meeting stressed, there can be no lasting progress towards world peace unless states restrict their export and import of arms, and especially unless expenditure on armaments is transferred to development work.

The experts also pointed out that wider participation in public life through the extension of democracy lessens the dangers of armed conflict.

Whilst acknowledging the value of the work done by the International Red Cross and Red Crescent Movement to alleviate suffering caused by war, the experts said it should make more use of its greatest assets—its Principles, credibility and experience—to prevent armed conflicts.

2. The forgotten victims

In the world of today protection for, and assistance to, victims of armed conflicts largely depend on how much notice people take of those conflicts.

Unfortunately, United Nations successes in settling some conflicts and détente between the superpowers and the Eastern and Western blocs tend to divert attention from the cruel realities of the conflicts still going on.

The World Campaign for the Protection of War Victims is thus all the more necessary to prevent the victims of these conflicts being forgotten.

How can the world be made aware of the suffering of the “forgotten victims”? How can the media be persuaded to meet their responsibilities in this respect? How can governments be made to shoulder their responsibilities and stand by the victims? Who should denounce abuses and how? Where does one draw the line between political and humanitarian issues?

Recognizing that the nature of conflict has changed, that more and more it sets brother to fight brother, and that nine out of ten casualties are civilians, the experts were of the opinion that governments should do more to honour their commitment towards international humanitarian law and have especially a duty not just to respect Red Cross and Red Crescent emblems and personnel but also to ensure that they are respected.

The Colloquium stressed that civilian populations should never be used as bargaining counters and called on governments to give war victims all necessary humanitarian assistance and recognize their right to seek and receive it.

The Colloquium declared that the Campaign for the Protection of War Victims needed the support and active participation of the media and governments to make the general public aware of the sufferings and rights of war victims. The media should be able to send information from the war zones for this purpose and the opposing Parties should not forbid the media to enter those areas.

3. Respect for life and human dignity in the heat of battle

On the principle that defending the application of humanitarian rules in conflicts does not mean justifying conflicts or making it easier to wage war, and that international humanitarian law can help check the escalation of violence, what is the best way to spread knowledge and ensure application of rules that are usually mentioned only when they have been violated?

The Colloquium recognized that in vast areas of the world many war victims and combatants were not aware of their rights and duties under international humanitarian law. The Colloquium was of the opinion that the Campaign gave an admirable opportunity of making these rights and duties known at all levels.

Following its discussions the Colloquium adopted the attached appeal. Several hundreds of leading personalities from all over the world, and the Chairmen or Presidents of National Red Cross and Red Crescent Societies will be invited to sign this appeal during 1990 and to circulate it as widely as possible in 1991.

COLLOQUIUM FOR THE PROTECTION OF WAR VICTIMS

APPEAL

"The world has never been closer to peace. But war has never been more destructive.

Ninety per cent of its victims are civilians. The suffering of these innocent people is an intolerable insult to humanity. It is in the power of mankind and is part of the duty of the international community of nations to put an end to the spiral of violence and the suffering it brings.

We appeal to governments, to governmental and non-governmental organizations as well as to the leaders of combatants on all sides, and to the people of the world:

- to respect the fundamental human rights of individuals at all times and in all circumstances*
- to live up to their international undertakings and responsibilities, to enable all necessary humanitarian aid to be made available to victims of violence and to ensure that they can seek and receive such aid*
- to recognize that the life of each human being is the concern of all.*

Armed conflict is an obsolete and absurd means of settling disputes. However, so long as it persists, the plight of its victims is of universal concern.

- We must not remain silent.*
- As human beings we must reach out to succour every suffering man, women and child.*
- We must urge governments to make available the funds needed to protect, help and nurture these victims of man's violence to man, and to enable them to live normal lives.*

After centuries of conflict, let us dare to conceive of a world without enemies."

**First regional training course for dissemination officers
of the English-speaking National Societies
of east and southern Africa and the Indian Ocean**

(Harare, 13-22 November 1989)

The first regional training course on international humanitarian law and the Fundamental Principles of the Movement for dissemination officers of the English-speaking National Societies of east and southern Africa and the Indian Ocean, organized by the International Committee of the Red Cross, the ICRC regional delegation in Harare, the regional delegation of the League of Red Cross and Red Crescent Societies and the Zimbabwe Red Cross, was held in Harare from 13 to 22 November 1989.

The course was attended by 32 National Society representatives from the following 15 countries: Botswana, Ethiopia, Kenya, Lesotho, Malawi, Mauritius, Namibia, the Seychelles, Somalia, South Africa, Sudan, Tanzania, Uganda, Zambia and Zimbabwe. Participants included not only information and dissemination officers, but also the President of the Seychelles Red Cross and the Deputy Secretary General of the Kenya Red Cross.

The programme called for the active participation of all the officers present, and each topic (e.g., history and structure of the Movement, the Fundamental Red Cross and Red Crescent Principles, international humanitarian law, the red cross and red crescent emblems, operational activities, disaster preparedness, development and dissemination) was introduced by a practical exercise carried out by the participants divided into working groups. The results were then reviewed in a general discussion, and the session ended with a summary highlighting the main points.

Speakers included Mr. Herbert Hyange, a Tanzanian jurist from Dar es Salaam Law Faculty, Mr. Henry Wahinya, the information officer of the Kenya Red Cross, the ICRC and League regional delegates in Harare and Mr. Leonard Isler, head of the Africa Section of the ICRC's Co-operation and Dissemination Division.

The course made extensive use of video exercises, and the method proved extremely successful: all the participants expressed the wish to meet again in a few years' time for a refresher course, which would provide them with an opportunity to discuss the experience acquired in the meantime.

L. I.

MISCELLANEOUS

The Ukrainian Soviet Socialist Republic ratifies the Protocols

On 25 January 1990, the Ukrainian Soviet Socialist Republic ratified the Protocols additional to the Geneva Conventions of 12 August 1949 and relating to the protection of victims of international (Protocol I) and non-international (Protocol II) armed conflicts, adopted in Geneva on 8 June 1977.

The instrument of ratification contained the following declaration:

In accordance with Article 90, paragraph 2(a) of Protocol I the Ukrainian Soviet Socialist Republic declares that it recognizes *ipso facto* and without special agreement, in relation to any other High Contracting Party accepting the same obligation, the competence of the International Fact-Finding Commission.

The Ukrainian Soviet Socialist Republic is the **eighteenth** State to make this declaration concerning the International Fact-Finding Commission. The Commission will be set up when twenty States have made such a declaration.

Pursuant to their provisions, the Protocols will enter into force for the Ukrainian Soviet Socialist Republic on 25 July 1990.

The Ukrainian Soviet Socialist Republic is the **93rd State** to become party to Protocol I and the **83rd** to Protocol II.

The Czechoslovak Socialist Republic ratifies the Protocols

On 14 February 1990, the Czechoslovak Socialist Republic ratified the Protocols additional to the Geneva Conventions of 12 August 1949 and relating to the protection of victims of international (Protocol I) and non-international (Protocol II) armed conflicts, adopted in Geneva on 8 June 1977.

In accordance with their provisions, the Protocols will enter into force for the Czechoslovak Socialist Republic on 14 August 1990.

The Czechoslovak Socialist Republic is the **94th State** to become party to Protocol I and the **84th** to Protocol II.

Barbados accedes to the Protocols

On 19 February 1990, Barbados acceded to the Protocols additional to the Geneva Conventions of 12 August 1949 and relating to the protection of victims of international conflicts (Protocol I) and non-international armed conflicts (Protocol II), adopted in Geneva on 8 June 1977.

In accordance with their provisions, the Protocols will come into force for Barbados on 19 August 1990.

This accession brings to **95** the number of States party to Protocol I and to **85** those party to Protocol II.

Forty-sixth session of the United Nations Commission on Human Rights

(Geneva, 30 January-9 March 1990)

The United Nations Commission on Human Rights held its 46th annual session from 30 January to 9 March 1990 at the Palais des Nations in Geneva. In addition to the Commission's 43 member States, this well-nigh general assembly on human rights was attended by about a hundred observer States, some 130 non-governmental organizations and a delegation of the International Committee of the Red Cross.

On this occasion, ICRC President Cornelio Sommaruga inaugurated the Geneva showing of the *exhibition marking the 125th anniversary of the 1864 Geneva Convention* and entitled "Humanity in the midst of war". This exhibition was first launched in October

1989 at the United Nations headquarters in New York. The UN Under-Secretary-General for Human Rights, Mr. Jan Martenson, the Chairperson of the Commission, Mrs. Purificación V. Quisumbing, and the President of the ICRC took this opportunity to appeal for respect for the 1949 Geneva Conventions and their two 1977 Additional Protocols protecting the victims of war, so as to ensure that the most fundamental humanitarian principles were observed both in peacetime and during armed conflicts. The ICRC President also appealed for the immediate and unconditional release of the two ICRC delegates held hostage in Lebanon.

Both appeals were subsequently included in a resolution on hostage-taking urging States *to ensure respect in all circumstances for the humanitarian action of the International Committee of the Red Cross* and its delegates and strongly condemning the taking of any person hostage, whoever was responsible and whatever the circumstances, whether or not the hostage was chosen at random and whatever his nationality. The Commission further censured the action of all persons responsible for taking hostages, whatever their motives, and demanded that they immediately release those they were holding.

As in the past, the Commission appealed for respect for international humanitarian law in its resolutions on the situation of human rights in El Salvador and in Afghanistan.

In view of the fact that the ongoing armed conflict in *El Salvador* was of a non-international character and that the Parties involved were under the obligation to apply the minimum standards of protection afforded by human rights and of humanitarian treatment provided for in Article 3 common to the Geneva Conventions of 1949 and 1977 Additional Protocol II, the Commission requested the Parties to the conflict to guarantee respect for the humanitarian standards applicable in non-international armed conflicts such as that in El Salvador. In particular it urged them to protect the civilian population, the war-wounded and persons deprived of their freedom for reasons connected with the conflict; to facilitate at all times the evacuation of the wounded and the war-disabled; to co-operate with humanitarian organizations engaged in alleviating the suffering of the civilian population wherever such organizations operated in the country; and in no circumstances to penalize medical and health personnel for carrying out their activities.

As for the situation in *Afghanistan*, the Commission once again earnestly requested the Parties to the conflict to respect the 1949 Geneva Conventions and their 1977 Additional Protocols, to halt the use of weapons against the civilian population, to protect all prisoners

from acts of reprisal and violence, including ill-treatment, torture and summary execution, to forward to the ICRC the names of all prisoners and to grant the ICRC unrestricted access to all parts of the country and the right to visit all prisoners in accordance with its established criteria.

The international community unanimously agreed on the importance of *disseminating knowledge of human rights law and international humanitarian law in periods of armed conflict*. The Commission shared the view expressed by the Sub-Commission on Prevention of Discrimination and Protection of Minorities that greater respect for humanitarian law and the law of human rights was needed in times of armed conflict and, recognizing the vital role of the ICRC in the dissemination of international humanitarian law, noted that the States party to the four Geneva Conventions of 1949 and their two 1977 Additional Protocols had undertaken to disseminate those instruments as widely as possible and, in particular, to include the study thereof in their programmes of military instruction and encourage such study by the civilian population.

All Governments were invited to devote particular attention to giving instruction to all members of security and other armed forces, and to all law enforcement agencies, in human rights law and international humanitarian law applicable in armed conflicts.

The Commission further emphasized the need for the United Nations to harmonize its public information activities in the field of human rights with organizations such as the ICRC and the Office of the United Nations High Commissioner for Refugees (UNHCR) regarding the dissemination of information on international humanitarian law.

The Commission also recommended that the Secretary-General continue to develop those activities and, as in 1989, requested him to explore yet further the possibilities offered by co-operation between the Centre for Human Rights, specialized bodies of the United Nations system (such as the UN Development Programme and the UNHCR), and the ICRC in developing strategies for the establishment or strengthening of national and regional infrastructures for the promotion and protection of human rights and fundamental freedoms, and the planning, execution and evaluation of specific projects.

BOOKS AND REVIEWS

IM DIENST AN DER GEMEINSCHAFT

Festschrift für Dietrich Schindler zum 65. Geburtstag

In the service of the community

*Studies and essays in honour of Professor Dietrich Schindler*¹

In order to reflect the extent of his interests and areas of academic endeavour, this collection of texts in honour of *Dietrich Schindler* had to cover a wide range of legal topics. The 52 contributions to this book therefore relate to public international law, in particular international humanitarian law, the law of neutrality, international economic law, European law and constitutional law including the latter's history, theory and a number of issues raised in connection with it in Switzerland and abroad. The articles, written in English, French or German, provide valuable and lucid reading for those interested in these subjects.

As readers of the *Review* will understand, mention will be made here only of those texts dealing with international humanitarian law. To begin with, a rather pessimistic view is set out by *Friedrich Freiherr von der Heydte* (pp. 97-108, in German) in his study of the position of international law (including international humanitarian law) in the present-day international community.

Theodor Meron goes on to show that reactions to violations of a treaty protecting human rights can be based, where there is doubt, not only on the implementation of provisions contained in the treaty itself but also on the general rules on State responsibility (pp. 109-114, in English).

Fritz Münch then deals with the development of rules governing intervention by third States in non-international armed conflicts (pp. 115-125, in German).

Luigi Condorelli sets out to demonstrate the importance of international humanitarian law as, in his words, the law laboratory in which many of the ideas at the centre of present-day discussion in international law have been developed (pp. 193-200, in French). The examples he cites are codification and its influence on customary law, the rules on relations between a State and

¹ Walter Haller, Alfred Kölz, Georg Müller and Daniel Thürer (ed.), *Im Dienst an der Gemeinschaft, Festschrift für Dietrich Schindler zum 65. Geburtstag*, Helbing & Lichtenhahn, Basel/Frankfurt am Main, 1989, 826 pp.

its citizens, *jus cogens*, *erga omnes* obligations, the non-reciprocity of obligations and other aspects of State responsibility. Professor Condorelli's article should be read by those teachers of international law, alas too numerous, who neglect international humanitarian law in their teaching, considering it an area apart.

Felix Ermacora analyses the Afghan conflict in the light of international humanitarian law (pp. 201-214, in German). However, he fails to categorize the conflict clearly and sometimes intermingles the rules of law governing international conflict and those governing non-international conflict. This lack of precision leads him to state erroneously that the implementation of international humanitarian law in situations other than international conflicts is "optional" (p. 214). It should also be pointed out that, contrary to what one might conclude from certain passages (pp. 212-213), the status of "combatant" applies only to international conflict.

Jochen Frowein demonstrates that violations of international humanitarian law committed in an internal conflict are a factor to be taken into account by host countries in deciding whether to grant asylum (pp. 215-224, in German).

The contribution by *Hans-Peter Gasser* (pp. 225-240, in English) deals with the law of non-international armed conflict, in particular with the customary rules relating to the conduct of hostilities in such conflicts. Very judicious in his approach, the author analyses the practice of States, resolution 2444 of the UN General Assembly and a number of military manuals to compile and interesting list of general principles and customary rules. He never succumbs to the temptation to draw his conclusions by analogy with the existing rules governing international armed conflict.

Hans Haug examines an aspect of "Red Cross" law (pp. 241-254, in German). He outlines the historical development and describes the mandatory character of the Fundamental Principles of the Red Cross before analysing more particularly the difficult principle of neutrality. Admittedly neutrality, though necessary for preserving the Movement's unity and universality and a prerequisite for the immunity enjoyed by its components in times of armed conflict, does oblige those components to abstain from engaging in controversies of a political nature. But it does not prevent them from making pronouncements on issues of humanitarian concern, even if those issues are politically controversial. Professor Haug finally propounds the interesting idea that, unlike the ICRC's neutrality, the neutrality of a National Society is toned down by the need for the population of that country to be able to identify with it.

Antoine Martin describes the system of Protecting Powers and their substitutes provided for in the Geneva Conventions and their Additional Protocols (pp. 255-282, in French). His view is fairly pessimistic, feeling as he does that because better monitoring would only be effective if it did not require the consent of the State in question, it is ruled out by the present-day realities of international law.

Stanislaw E. Nahlik argues that, with two exceptions, international humanitarian law, including Protocol I, prohibits the use of nuclear weapons (pp. 283-299, in English).

Heinrich B. Reimann shows how the principles of international humanitarian law influence (and are in keeping with) the international rules or weapons of mass destruction (pp. 301-310, in German). However, his statement that only treaty-based rules can have any meaning in this area is somewhat questionable (page 303).

Jiri Toman analyses the development of protection for cultural objects in non-international armed conflict, in particular as provided by Article 19 of The Hague Convention of 1954 and Article 16 of Protocol II (pp. 331-339, in French).

Finally, in an exposé backed up by a wealth of historical, literary, philosophical, religious and legal references, *Michel Veuthey* reflects on the contribution of international humanitarian law to building peace and a better world (pp. 341-360, in French).

As ICRC President *Cornelio Sommaruga* reminds us in his foreword to this important book, Professor Schindler has been a member of the ICRC for many years and is furthermore Chairman of its Legal Commission. These studies and essays thus pay rightful tribute to him not only as an eminent scholar of international humanitarian law, but also as an expert on its practical application.

Marco Sassoli

PUBLICATIONS RECEIVED

Under this heading the *Review* lists recent publications which may interest readers, particularly those engaged in research. These publications are available at the ICRC library and selected works will be reviewed in future issues.

- **Bennett, Angela**, *Les débuts mouvementés de la Croix-Rouge*, Favre, Lausanne, 1989, 222 pp. (in French).

A study on the origins of the Red Cross, Henry Dunant and Gustave Moynier

- **Boiton-Malherbe, Sylvie**, *La protection des journalistes en mission périlleuse dans les zones de conflit armé*, foreword by Jean Pictet, preface by Mario Bettati, Bruylant, Brussels University, Brussels, 1989, XXV, 404 pp., ill., tabl., fac-sim. (Collection de droit international; 23) (in French).

Legal study on the protection of journalists on dangerous missions, based on many practical examples

- **Brown, Pam**, *Henry Dunant: the founder of the Red Cross — His compassion has saved millions*, Exley Publications Ltd., Watford, 1988, 64 pp., ill. (People who have helped the world) *Henry Dunant, fondateur de la Croix-Rouge, sa compassion a sauvé des millions de vies*, transl. by Thierry Baud, French adapt. by Roger Durand, Exley Publ., Watford, and League, Geneva, 1989, 64 pp., ill. (Ils ont servi l'humanité) *Henry Dunant: fundador de la Cruz Roja: su compasión a salvado millones de vidas*, transl. by Maria Eugenia Kyburz and Ana Wilhelmi, Exley Publ., Watford, and League, Geneva, 1989, 64 pp., ill., 22 cm. (Benefactores de la humanidad).

A biography of Henry Dunant and a review of the major events marking the history of the Red Cross and Red Crescent Movement, illustrated by a large number of photographs and reproductions

- **Chowdhury, Subrata Roy**: *Rule of law in a state of emergency: the Paris minimum standards of human rights norms in a state of emergency*, Pinter, London, 1989, 290 pp.

A study of the legal problems attending states of emergency — Emergency powers and protection of the individual

- **Detter de Lupis, Ingrid**, *The law of war*, Cambridge University Press, Cambridge, 1987, XX, 411 pp. (LSE monographs in international studies).

A study of the changing nature of modern warfare and a detailed examination of essential developments such as arms limitation and humane treatment of individuals, with special emphasis on liberation movements and guerrilla warfare in present-day conflicts

- **Favez, Jean-Claude**, *Das Internationale Rote Kreuz und das Dritte Reich — war der Holocaust aufzuhalten?*, Verlag Neue Zürcher Zeitung, Zürich, 1989, 592 pp.

German edition of *Mission impossible? Le CICR et les camps de concentration nazis*, Payot, Geneva, 1988, 430 pp. (See review in *IRRC*, No. 271, July-August 1989, pp. 375-397).

- **Foster, Neuring B.**, *Daughter of Destiny: the biography of Clara Barton*, Carlton Press, New York, 1989, 138 pp.

A biography of the founder of the American Red Cross

- **Rising from the Ashes—Development Strategies in Times of Disaster**, Mary B. Anderson and Peter J. Woodrow (co-directors), International Relief/Development Project, Graduate School of Education, Harvard University, Westview Press, Boulder of San Francisco, and UNESCO, Paris, 1989.

Guidelines for setting up relief programmes in the event of natural or man-made disasters

- **Geschichte und Geschichten: 125 Jahre Deutsches Rotes Kreuz, Deutsches Rotes Kreuz, Kreisverband Kiel e.V.**, Kiel, 1989, 274 pp., ill. (in German).

A commemorative publication marking the 125th anniversary of the German Red Cross, Kiel Branch

- **Hill, John Richard**, *Arms Control at Sea*, Routledge, London, 1989, 229 pp.

A history of maritime control measures from before the First World War and a critical examination of the objectives of maritime power and the concepts of disarmament, peace zones, the limitation of conventional weapons at sea and the structure of naval forces

- **Human rights and the media**, Asbjørn Eide and Sigrun Skogly (eds.) Norwegian Institute of Human Rights, Oslo, 1988, 143 pp.

A series of contributions on relations between the media and human rights

- **“I have done my duty”: Florence Nightingale in the Crimean war, 1854-1856**, Sue M. Goldie (ed.), Manchester University Press, Manchester, 1987, 326 pp., ill.

Selected correspondence between Florence Nightingale and official authorities, her family and friends during the Crimean War (1854, 1855, 1856)

- **Im Dienst an der Gemeinschaft — Festschrift für Dietrich Schindler zum 65. Geburtstag**, Walter Haller, Alfred Kölz, Georg Müller and Daniel Thürer (eds), Verlag Helbing & Lichtenhahn, Basel and Frankfurt am Main, 1989, 800 pp. (in German).

Studies and essays in honour of Professor Schindler's 65th birthday, including contributions on various aspects of human rights, the law of armed conflicts and the law of neutrality, etc. (see review p. 156)

- **Louyot, Alain**, *Gosses de guerre*, R. Laffont, Paris, 1989, 245 pp. (in French).

According to a UN report, some 200,000 children (aged between 12 and 25) are engaged in active combat in all parts of the world: from Tehran to Beirut, from Nicaragua to Eritrea, from the Angolan and Mozambican bush to the deserts of Chad, in Afghanistan, Ireland and Sri Lanka — child soldiers are being indoctrinated and led to their death by adults

- **MacCoubrey, Hilaire**, *International Humanitarian Law — The Regulation of Armed Conflicts*, Gower Publishing Group, Dartmouth, 1989, 228 pp. (in English).

An analysis of the dissemination of various aspects of international humanitarian law, with particular emphasis on academic circles

- **Malekian, Farhad**, *International criminal responsibility of states: a study on the evolution of state responsibility with particular emphasis on the concept of crime and criminal responsibility*, Stockholm University, 1985, 234 pp.

A study on the evolution of state responsibility in international law, international criminal responsibility and the concept of international criminal jurisdiction

- **Mencer, Gejza**, *Nové mezinárodní humanitární právo: vybrané problémy*, Academia, Prague, 1983, 216 pp. (in Czech).

A contribution to the study of various problems pertaining to the new codification of international humanitarian law

- **Le Monde diplomatique**, *La Paix des Grands, l'espoir des pauvres — Désarmement, développement et survie de l'humanité*, Le Monde diplomatique, Coll. La découverte, Le Monde, Paris, 1989, 256 pp. (in French).

A comprehensive analysis of the cost of the arms race and its consequences for Western society and the Third World, the revival of the North-South dialogue and a definition of global solidarity

- **Multilingual dictionary of disaster medicine and international relief** (English, French, Spanish and Arabic), S.W.A. Gunn (ed.), Kluwer, Dordrecht, Boston/London, 1990, 188 pp.

A multilingual dictionary of terms and expressions used in disaster medicine and international relief

- **Payne, Samuel Burton (Jr.)**, *The conduct of war: an introduction to modern warfare*, Blackwell, Oxford, 1989, 309 pp.

A study of the political, military and technical aspects of modern warfare, including nuclear war, guerrilla warfare and terrorism

- **Rowe, Peter**, *Defence, the legal implications — Military Law and the Law of War*, Brassey's Defence Publishers, London, 1987, 447 pp.

A study of the legal position of the armed forces in the United Kingdom. Methods and means of warfare. Case studies

NEW PUBLICATIONS

- **Guide for National Red Cross and Red Crescent Societies to activities in the event of conflict**

The purpose of this guide is to help National Red Cross and Red Crescent Societies to fulfil their original task of providing assistance, as auxiliaries of the public authorities, to victims of armed conflict. It thus lists all the activities a National Society may engage in before and during conflict.

The guide, edited by Dominique Borel, is in four parts:

- The first part describes the respective roles of the ICRC, the League and the National Societies, and enumerates the different types of conflicts and the various categories of victims to be assisted.
- The second part lists the situations in which a National Society may act.
- The third part details the National Society's preparatory tasks in peacetime. It also describes arrangements and procedures for co-operation between a National Society and the ministry with which it is most closely associated or other ministries concerned (Interior or Defence, for example).
- The fourth part deals with the statutory and legal basis for Red Cross and Red Crescent activities in armed conflict.

By providing practical advice and clearly delineating the roles of each of the Movement's components, the guide should help to promote co-operation among them in time of conflict or disturbances. It should also prove useful to National Societies wishing to assist the ICRC or a sister Society whose country is affected by a conflict.

The 156-page manual is available in *English, French and Spanish* for 20 Swiss francs per copy. An *Arabic* version is in preparation.

- **Study Guide to the International Red Cross and Red Crescent Movement**

This collection of booklets was first published in 1977 under the name *Teaching Guide*. For use mainly by secondary school teachers, it was distributed to all the National Societies in follow-up to an idea put forward at the Twenty-second International Conference of the Red Cross in 1973.

An updated version has now been published in French under the title *Study Guide*. Issued jointly by the League and the ICRC, it is designed to help teachers draw their pupils' attention to the need for international under-

standing and co-operation, heighten their awareness of the multiple facets of human suffering and alert them to the need to respect and uphold the humanitarian principles at all times and in all places.

The booklets should also prove useful to National Societies, particularly in their training and dissemination seminars.

The guide is made up of 18 booklets, on the following subjects (*the English titles have not yet been finalized*):

- A. Presentation and instructions for teachers
- B. History of the International Red Cross and Red Crescent Movement
- C. The International Committee of the Red Cross
- D. The League of Red Cross and Red Crescent Societies
- E. Your National Society
- F. The International Red Cross and Red Crescent Movement
- G. International humanitarian law
- H. The Central Tracing Agency
- I. The Movement and war
- J. The Movement and human rights
- K. The Movement and peace
- L. The Movement and natural disasters
- M. The Movement and refugees
- N. The Movement, health and social work
- O. The Movement and blood donors
- P. The Movement and youth
- Q. The Movement and development
- R. The Movement and telecommunications

The guide is currently available in *French* for 35 Swiss francs per copy. *English, Spanish and Arabic* versions are in preparation.

- **Manual for the use of technical means of identification by hospital ships, coastal rescue craft, other protected craft and medical aircraft**

This technical manual is designed to facilitate the application of the provisions of the Second Geneva Convention of 12 August 1949 and of Annex I to 1977 Protocol I additional to the Geneva Conventions, relative to the marking and identification of medical transports in time of armed conflict.

Divided into three parts, it presents a practical and easily consulted collection of provisions from international treaties on the identification of transports protected in periods of international armed conflict. The first part contains a list of abbreviations used and treaties cited. The second reviews the provisions relating to the marking and identification of protected sea or air transports, with references to the instruments of international law concerned. Extracts from these instruments are found as annexes in the third part.

This is not a legal textbook but a handbook for commanders of naval and air forces and of transports protected under the 1949 Geneva Conventions and their Additional Protocols. It should enable them to take rapid decisions, when necessary, to ensure the protection guaranteed by these treaties to hospital ships and other medical transports.

The manual was compiled by Gérald C. Cauderay, Technical Advisor to the ICRC, with the assistance of legal expert Antoine Bouvier for the parts relating to international humanitarian law (IHL). They are both members of the ICRC's Legal Division.

The manual is available in *French* and *English* for 20 Swiss francs per copy.

All three publications may be ordered from the ICRC (COM/EDOC).

ADDRESSES OF NATIONAL RED CROSS AND RED CRESCENT SOCIETIES

- AFGHANISTAN (Democratic Republic of) — Afghan Red Crescent Society, Puli Hartan, *Kabul*.
- ALBANIA (Socialist People's Republic of) — Albanian Red Cross, Boulevard Marsel Kashen, *Tirana*.
- ALGERIA (People's Democratic Republic of) — Algerian Red Crescent, 15 bis, boulevard Mohamed V, *Algiers*.
- ANGOLA — Cruz Vermelha de Angola, Av. Hoji Ya Henda 107, 2. andar, *Luanda*.
- ARGENTINA — The Argentine Red Cross, H. Yrigoyen 2068, 1089 Buenos Aires.
- AUSTRALIA — Australian Red Cross Society, 206, Clarendon Street, *East Melbourne 3002*.
- AUSTRIA — Austrian Red Cross, 3, Gusshausstrasse, Postfach 39, A-1041, *Vienne 4*.
- BAHAMAS — The Bahamas Red Cross Society, P.O. Box N-8331, *Nassau*.
- BAHRAIN — Bahrain Red Crescent Society, P.O. Box 882, *Manama*.
- BANGLADESH — Bangladesh Red Crescent Society, 684-686, Bara Magh Bazar, Dhaka-1217, G.P.O. Box No. 579, *Dhaka*.
- BARBADOS — The Barbados Red Cross Society, Red Cross House, Jemmotts Lane, *Bridgetown*.
- BELGIUM — Belgian Red Cross, 98, chaussée de Vleur-gat, 1050 *Brussels*.
- BELIZE — Belize Red Cross Society, P.O. Box 413, *Belize City*.
- BENIN (People's Republic of) — Red Cross of Benin, B.P. No. 1, *Porto-Novo*.
- BOLIVIA — Bolivian Red Cross, Avenida Simón Bolívar, 1515, *La Paz*.
- BOTSWANA — Botswana Red Cross Society, 135 Independence Avenue, P.O. Box 485, *Gaborone*.
- BRASIL — Brazilian Red Cross, Praça Cruz Vermelha No. 10-12, *Rio de Janeiro*.
- BULGARIA — Bulgarian Red Cross, 1, Boul. Biruzov, 1527 *Sofia*.
- BURKINA FASO — Burkina Be Red Cross Society, B.P. 340, *Ouagadougou*.
- BURUNDI — Burundi Red Cross, rue du Marché 3, P.O. Box 324, *Bujumbura*.
- CAMEROON — Cameroon Red Cross Society, rue Henri-Dunant, P.O.B 631, *Yaoundé*.
- CANADA — The Canadian Red Cross Society, 1800 Alta Vista Drive, *Ottawa, Ontario K1G 4J5*.
- CAPE-VERDE (Republic of) — Cruz Vermelha de Cabo Verde, Rua Unidade-Guiné-Cabo Verde, P.O. Box 119, *Praia*.
- CENTRAL AFRICAN REPUBLIC — Central African Red Cross Society, B.P. 1428, *Bangui*.
- CHAD — Red Cross of Chad, B.P. 449, *N'Djamena*.
- CHILE — Chilean Red Cross, Avenida Santa Maria No. 0150, Correo 21, Casilla 246-V., *Santiago de Chile*.
- CHINA (People's Republic of) — Red Cross Society of China, 53, Gannien Hutong, *Beijing*.
- COLOMBIA — Colombian Red Cross Society, Avenida 68, N.º 66-31, Apartado Aéreo 11-10, *Bogotá D.E.*
- CONGO (People's Republic of the) — Croix-Rouge congolaise, place de la Paix, B.P. 4145, *Brazzaville*.
- COSTA RICA — Costa Rica Red Cross, Calle 14, Avenida 8, Apartado 1025, *San José*.
- CÔTE D'IVOIRE — Croix-Rouge de Côte d'Ivoire, B.P. 1244, *Abidjan*.
- CUBA — Cuban Red Cross, Calle Calzada 51 Vedado, Ciudad Habana, *Habana 4*.
- CZECHOSLOVAKIA — Czechoslovak Red Cross, Thunovská 18, 118 04 *Prague 1*.
- DENMARK — Danish Red Cross, Dag Hammarskjölds Allé 28, Postboks 2600, 2100 *København Ø*.
- DJIBOUTI — Société du Croissant-Rouge de Djibouti, B.P. 8, *Djibouti*.
- DOMINICA — Dominica Red Cross Society, P.O. Box 59, *Roseau*.
- DOMINICAN REPUBLIC — Dominican Red Cross, Apartado postal 1293, *Santo Domingo*.
- ECUADOR — Ecuadorean Red Cross, calle de la Cruz Roja y Avenida Colombia, *Quito*.
- EGYPT (Arab Republic of) — Egyptian Red Crescent Society, 29, El Galaa Street, *Cairo*.
- EL SALVADOR — Salvadorean Red Cross Society, 17C, Pte y Av. Henri Dunant, *San Salvador*, Apartado Postal 2672.
- ETHIOPIA — Ethiopian Red Cross Society, Ras Desta Damtew Avenue, *Addis-Ababa*.
- FIIJI — Fiji Red Cross Society, 22 Gorrie Street, P.O. Box 569, *Suva*.
- FINLAND — Finnish Red Cross, Tehtaankatu, 1 A, Box 168, 00141 *Helsinki 14/15*.
- FRANCE — French Red Cross, 1, place Henry-Dunant, F-75384 *Paris*, CEDEX 08.
- GAMBIA — The Gambia Red Cross Society, P.O. Box 472, *Banjul*.
- GERMAN DEMOCRATIC REPUBLIC — German Red Cross of the German Democratic Republic, Kaitzer Strasse 2, DDR, 8010 *Dresden*.
- GERMANY, FEDERAL REPUBLIC OF — German Red Cross in the Federal Republic of Germany, Friedrich-Erbert-Allee 71, 5300, *Bonn 1*, Postfach 1460 (D.B.R.).
- GHANA — Ghana Red Cross Society, National Headquarters, Ministries Annex A3, P.O. Box 835, *Accra*.
- GREECE — Hellenic Red Cross, rue Lycavittou, 1, *Athens 10672*.
- GRENADA — Grenada Red Cross Society, P.O. Box 221, *St George's*.
- GUATEMALA — Guatemalan Red Cross, 3.ª Calle 8-40, Zona 1, *Ciudad de Guatemala*.
- GUINEA — The Guinean Red Cross Society, P.O. Box 376, *Conakry*.
- GUINEA-BISSAU — Sociedad Nacional da Cruz Vermelha de Guiné-Bissau, rua Justino Lopes N.º 22-B, *Bissau*.
- GUYANA — The Guyana Red Cross Society, P.O. Box 10524, Eve Leary, *Georgetown*.
- HAITI — Haitian National Red Cross Society, place des Nations Unies, (Bicentenaire), B.P. 1337, *Port-au-Prince*.

- HONDURAS — Honduran Red Cross, 7.^a Calle, 1.^o y 2.^a Avenidas, *Comuyagüela D.M.*
- HUNGARY — Hungarian Red Cross, V. Arany János utca, 31, *Budapest 1367*. Mail Add.: *1367 Budapest 51. Pf. 121.*
- ICELAND — Icelandic Red Cross, Raudararstigur 18, 105 *Reykjavík*.
- INDIA — Indian Red Cross Society, 1, Red Cross Road, *New-Delhi 110001*.
- INDONESIA — Indonesian Red Cross Society, II Jend Gatot subroto Kar. 96, Jakarta Selatan 12790, P.O. Box 2009, *Jakarta*.
- IRAN — The Red Crescent Society of the Islamic Republic of Iran, Avenue Ostad Nejatollahi, *Tehran*.
- IRAQ — Iraqi Red Crescent Society, Mu'ari Street, Mansour, *Bagdad*.
- IRELAND — Irish Red Cross Society, 16, Merrion Square, *Dublin 2*.
- ITALY — Italian Red Cross, 12, via Toscana, 00187 *Rome*.
- JAMAICA — The Jamaica Red Cross Society, 76, Arnold Road, *Kingston 5*.
- JAPAN — The Japanese Red Cross Society, 1-3, Shiba-Daimon, I-chome, Minato-Ku, *Tokyo 105*.
- JORDAN — Jordan National Red Crescent Society, P.O. Box 10001, *Amman*.
- KENYA — Kenya Red Cross Society, P.O. Box 40712, *Nairobi*.
- KOREA (Democratic People's Republic of) — Red Cross Society of the Democratic People's Republic of Korea, Ryonhwa 1, Central District, *Pyongyang*.
- KOREA (Republic of) — The Republic of Korea National Red Cross, 32-3Ka, Nam San Dong, Choong-Ku, *Seoul 100-043*.
- KUWAIT — Kuwait Red Crescent Society, P.O. Box 1359 Safat, *Kuwait*.
- LAO PEOPLE'S DEMOCRATIC REPUBLIC — Lao Red Cross, B.P. 650, *Vientiane*.
- LEBANON — Lebanese Red Cross, rue Spears, *Beirut*.
- LESOTHO — Lesotho Red Cross Society, P.O. Box 366, *Maseru 100*.
- LIBERIA — Liberian Red Cross Society, National Headquarters, 107 Lynch Street, 1000 *Monrovia 20*, West Africa.
- LIBYAN ARAB JAMAHIRIYA — Libyan Red Crescent, P.O. Box 541, *Benghazi*.
- LIECHTENSTEIN — Liechtenstein Red Cross, Heiligkreuz, 9490 *Vaduz*.
- LUXEMBOURG — Luxembourg Red Cross, Parc de la Ville, B.P. 404, *Luxembourg 2*.
- MADAGASCAR — Malagasy Red Cross Society, 1, rue Patrice Lumumba, *Antananarivo*.
- MALAWI — Malawi Red Cross Society, Conforzi Road, P.O. Box 983, *Lilongwe*.
- MALAYSIA — Malaysian Red Crescent Society, JKR 32 Jalan Nipah, off Jalan Ampang, *Kuala Lumpur 55000*.
- MALI — Mali Red Cross, B.P. 280, *Bamako*.
- MAURITANIA — Mauritanian Red Crescent, B.P. 344, aneue Gamal Abdel Nasser, *Nouakchott*.
- MAURITIUS — Mauritius Red Cross Society, Ste Thérèse Street, *Curepipe*.
- MEXICO — Mexican Red Cross, Calle Luis Vives 200, Col. Polanco, *México 10*, Z.P. 11510.
- MONACO — Red Cross of Monaco, 27 boul. de Suisse, *Monte Carlo*.
- MONGOLIA — Red Cross Society of Mongolia, Central Post Office, Post Box 537, *Ulan Bator*.
- MOROCCO — Moroccan Red Crescent, B.P. 189, *Rabat*.
- MOZAMBIQUE — Cruz Vermehla de Moçambique, Caixa Postal 2986, *Maputo*.
- MYANMAR (The Union of) — Myanmar Red Cross Society, 42, Strand Road, *Yangon*.
- NEPAL — Nepal Red Cross Society, Tahachal Kalimati, P.B. 217 *Kathmandu*.
- NETHERLANDS — The Netherlands Red Cross, P.O.B. 28120, 2502 *KC The Hague*.
- NEW ZEALAND — The New Zealand Red Cross Society, Red Cross House, 14 Hill Street, *Wellington 1*. (P.O. Box 12-140, *Wellington Thorndon*.)
- NICARAGUA — Nicaraguan Red Cross, Apartado 3279, *Managua D.N.*.
- NIGER — Red Cross Society of Niger, B.P. 11386, *Niamey*.
- NIGERIA — Nigerian Red Cross Society, 11 Eko Akete Close, off St. Gregory's Rd., P.O. Box 764, *Lagos*.
- NORWAY — Norwegian Red Cross, P.O. Box 6875, St. Olavsp. N-0130 *Oslo 1*.
- PAKISTAN — Pakistan Red Crescent Society, National Headquarters, Sector H-8, *Islamabad*.
- PANAMA — Red Cross Society of Panama, Apartado Postal 668, *Panamá 1*.
- PAPUA NEW GUINEA — Papua New Guinea Red Cross Society, P.O. Box 6545, *Boroko*.
- PARAGUAY — Paraguayan Red Cross, Brasil 216, esq. José Berges, *Asunción*.
- PERU — Peruvian Red Cross, Av. Camino del Inca y Nazarenas, Urb. Las Gardenias — Surco — Apartado 1534, *Lima*.
- PHILIPPINES — The Philippine National Red Cross, Bonifacio Drive, Port Area, P.O. Box 280, *Manila 2803*.
- POLAND — Polish Red Cross, Mokotowska 14, 00-950 *Warsaw*.
- PORTUGAL — Portuguese Red Cross, Jardim 9 Abril, 1 a 5, 1293 *Lisbon*.
- QATAR — Qatar Red Crescent Society, P.O. Box 5449, *Doha*.
- ROMANIA — Red Cross of the Socialist Republic of Romania, Strada Biserica Amzei, 29, *Bucarest*.
- RWANDA — Rwandese Red Cross, B.P. 425, *Kigali*.
- SAINT LUCIA — Saint Lucia Red Cross, P.O. Box 271, *Castries St. Lucia*, W. I.
- SAINT VINCENT AND THE GRENADINES — Saint Vincent and the Grenadines Red Cross Society, P.O. Box 431, *Kingstown*.
- SAN MARINO — Red Cross of San Marino, Comité central, *San Marino*.
- SÃO TOMÉ AND PRÍNCIPE — Sociedade Nacional da Cruz Vermelha de São Tomé e Príncipe, C.P. 96, *São Tomé*.
- SAUDI ARABIA — Saudi Arabian Red Crescent Society, *Riyadh 11129*.
- SENEGAL — Senegalese Red Cross Society, Bd Franklin-Roosevelt, P.O.B. 299, *Dakar*.
- SIERRA LEONE — Sierra Leone Red Cross Society, 6, Liverpool Street, P.O.B. 427, *Freetown*.
- SINGAPORE — Singapore Red Cross Society, Red Cross House 15, Penang Lane, *Singapore 0923*.
- SOMALIA (Democratic Republic) — Somali Red Crescent Society, P.O. Box 937, *Mogadishu*.

- SOUTH AFRICA** — The South African Red Cross Society, Essanby House 6th Floor, 175 Jeppe Street, P.O.B. 8726, *Johannesburg 2000*.
- SPAIN** — Spanish Red Cross, Eduardo Dato, 16, *Madrid 28010*.
- SRI LANKA** (Dem. Soc. Rep. of) — The Sri Lanka Red Cross Society, 106, Dharmapala Mawatha, *Colombo 7*.
- SUDAN** (The Republic of the) — The Sudanese Red Crescent, P.O. Box 235, *Khartoum*.
- SURINAME** — Suriname Red Cross, Gravenberchstraat 2, Postbus 2919, *Paramaribo*.
- SWAZILAND** — Baphalali Swaziland Red Cross Society, P.O. Box 377, *Mbabane*.
- SWEDEN** — Swedish Red Cross, Box 27 316, 102-54 *Stockholm*.
- SWITZERLAND** — Swiss Red Cross, Rainmattstrasse 10, B.P. 2699, 3001 *Berne*.
- SYRIAN ARAB REPUBLIC** — Syrian Arab Red Crescent, Bd Mahdi Ben Barake, *Damascus*.
- TANZANIA** — Tanzania Red Cross National Society, Upanga Road, P.O.B. 1133, *Dar es Salaam*.
- THAILAND** — The Thai Red Cross Society, Paribatra Building, Central Bureau, Rama IV Road, *Bangkok 10330*.
- TOGO** — Togolese Red Cross, 51, rue Boko Soga, P.O. Box 655, *Lomé*.
- TONGA** — Tonga Red Cross Society, P.O. Box 456, *Nuku'Alofa, South West Pacific*.
- TRINIDAD AND TOBAGO** — The Trinidad and Tobago Red Cross Society, P.O. Box 357, *Port of Spain, Trinidad, West Indies*.
- TUNISIA** — Tunisian Red Crescent, 19, rue d'Angleterre, *Tunis 1000*.
- TURKEY** — The Turkish Red Crescent Society, Genel Baskanligi, Karanfil Sokak No. 7, 06650 Kizilay-*Ankara*.
- UGANDA** — The Uganda Red Cross Society, Plot 97, Buganda Road, P.O. Box 494, *Kampala*.
- UNITED ARAB EMIRATES** — The Red Crescent Society of the United Arab Emirates, P.O. Box No. 3324, *Abu Dhabi*.
- UNITED KINGDOM** — The British Red Cross Society, 9, Grosvenor Crescent, *London, S.W.1X. 7EJ*.
- USA** — American Red Cross, 17th and D. Streets, N.W., *Washington, D.C. 20006*.
- URUGUAY** — Uruguayan Red Cross, Avenida 8 de Octubre 2990, *Montevideo*.
- U.R.S.S** — The Alliance of Red Cross and Red Crescent Societies of the U.S.S.R., I. Tcheremushkinskii proezd 5, *Moscow, 117036*.
- VENEZUELA** — Venezuelan Red Cross, Avenida Andrés Bello, N.º 4, Apartado, 3185, *Caracas 1010*.
- VIET NAM** (Socialist Republic of) — Red Cross of Viet Nam, 68, rue Ba-Triêu, *Hanoi*.
- WESTERN SAMOA** — Western Samoa Red Cross Society, P.O. Box 1616, *Apia*.
- YEMEN ARAB REPUBLIC** — Red Crescent Society of the Yemen Arab Republic, P.O. Box 1257, *Sana'a*.
- YEMEN** (People's Democratic Republic of) — Red Crescent Society of the People's Democratic Republic of Yemen, P.O. Box 455, Crater, *Aden*.
- YUGOSLAVIA** — Red Cross of Yugoslavia, Simina ulica broj 19, 11000 *Belgrade*.
- ZAIRE** — Red Cross Society of the Republic of Zaire, 41, av. de la Justice, Zone de la Gombe, B.P. 1712, *Kinshasa*.
- ZAMBIA** — Zambia Red Cross Society, P.O. Box 50 001, 2837 Saddam Hussein Boulevard, Longacres, *Lusaka*.
- ZIMBABWE** — The Zimbabwe Red Cross Society, P.O. Box 1406, *Harare*.

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